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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	21 August 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2026) 4867 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending the Annex to Regulation (EU) 2019/287 of the European Parliament and of the Council

Delegations will find attached document C(2026) 4867 final.

Encl.: C(2026) 4867 final



EUROPEAN
COMMISSION

Brussels, 15.7.2026
C(2026) 4867 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 15.7.2026

**amending the Annex to Regulation (EU) 2019/287 of the European Parliament and of
the Council**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The European Union regularly concludes trade agreements with third countries, in which it grants those countries preferential treatment. Among such agreements is the Interim Trade Agreement between the European Union and MERCOSUR (The common market of the south) ('EU-Mercosur Agreement'), which contains bilateral safeguard clauses.

Regulation (EU) 2019/287 of the European Parliament and of the Council of 13 February 2019 ('Bilateral Safeguard Regulation') implements bilateral safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain trade agreements concluded between the European Union and third countries. Where certain trade agreements contain specific provisions that are not in accordance with the Bilateral Safeguard Regulation, those specific provisions should be listed in the Annex to that Regulation.

On 11 March 2026, the Council adopted Regulation (EU) 2026/687 of the European Parliament and of the Council implementing the EU-Mercosur bilateral safeguard clauses with regards to agricultural products¹. The Regulation entered into force on 8 April 2026 and it will be applicable to the Interim Trade Agreement from the 1 May 2026. This regulation lays down procedures to guarantee the timely and effective implementation of bilateral safeguard measures for agricultural products. It also includes specific provisions as regards certain sensitive agricultural products.

Regarding non-agricultural products, the EU-Mercosur Agreement contains specific provisions on bilateral safeguards and other mechanisms. Therefore, to incorporate these provisions into the European Union law, it is necessary to amend the Annex to the Bilateral Safeguard Regulation by listing those provisions.

Article 15 of the Bilateral Safeguard Regulation empowers the Commission to adopt delegated acts in order to amend the Annex to that Regulation.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Pursuant to paragraph 4 of the Annex to the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, appropriate and transparent consultation was carried out. No additional consultations with interested parties or stakeholders, or a preparation of an impact assessment are necessary.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 15 of the Bilateral Safeguard Regulation empowers the Commission to adopt delegated acts in order to amend the Annex to that Regulation, with a view to adding entries relating to specific bilateral safeguard clauses or other mechanisms, allowing for the temporary withdrawal of tariff preferences or of other preferential treatment, which are contained in trade agreements concluded between the European Union and one or more third countries and are not in accordance with the Bilateral Safeguard Regulation. The Annex to the Bilateral Safeguard Regulation will be amended to list specific provisions contained in the EU-Mercosur Agreement.

¹ OJ L, 2026/687, 19.3.2026

COMMISSION DELEGATED REGULATION (EU) .../...

of 15.7.2026

amending the Annex to Regulation (EU) 2019/287 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/287 of the European Parliament and of the Council of 13 February 2019 implementing bilateral safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain trade agreements concluded between the European Union and third countries², and in particular Article 15 thereof,

Whereas:

- (1) Regulation (EU) 2019/287 lays down provisions for the implementation of bilateral safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain trade agreements concluded between the European Union and one or more third countries. The provisions of Regulation (EU) 2019/287 apply without prejudice to any specific provisions contained in those trade agreements, where such provisions are not in accordance with that Regulation. Such specific provisions contained in certain trade agreements are listed in the Annex to Regulation (EU) 2019/287.
- (2) The European Union and Mercosur have concluded a Free Trade Agreement³ containing certain provisions on bilateral safeguards that are not in accordance with Regulation (EU) 2019/287. Regarding agricultural products, on 11 March 2026, the Council adopted Regulation (EU) 2026/687 of the European Parliament and of the Council implementing the EU-Mercosur bilateral safeguard clauses with regards to agricultural products⁴. The Regulation entered into force on 8 April 2026.
- (3) Regarding non-agricultural products, the EU-Mercosur Agreement contains specific provisions on bilateral safeguards and other mechanisms. In light of all the changes and in order to ensure transparency and readability, these provisions should be added to the Annex to Regulation (EU) 2019/287,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to this Regulation is added to the Annex to Regulation (EU) 2019/287.

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*.

² OJ L 53, 22.2.2019, p.1.

³ [OP please insert OJ reference].

⁴ OJ L, 2026/687, 19.3.2026

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15.7.2026

For the Commission
The President
Ursula VON DER LEYEN