



Basic information	
<b>2006/0296(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Deliberate release into the environment of genetically modified organisms: implementing powers conferred on the Commission  Amending Directive 2001/18/EC <a href="#">1998/0072(COD)</a>  <b>Subject</b>  3.10.09.06 Agro-genetics, GMOs 3.70 Environmental policy 3.70.16 Law and environment, liability	

Key players			
European Parliament	<b>Committee responsible</b>	<b>Rapporteur</b>	<b>Appointed</b>
	<a href="#">ENVI</a> Environment, Climate and Food Safety	HEGYI Gyula (PSE)	03/04/2007
Council of the European Union	<b>Council configuration</b>	<b>Meetings</b>	<b>Date</b>
	Environment	2856	2008-03-03
European Commission	<b>Commission DG</b>	<b>Commissioner</b>	
	Environment	DIMAS Stavros	

Key events			
Date	Event	Reference	Summary
22/12/2006	Legislative proposal published	COM(2006)0920 	Summary
17/01/2007	Committee referral announced in Parliament, 1st reading		
17/07/2007	Vote in committee, 1st reading		Summary
23/07/2007	Committee report tabled for plenary, 1st reading	<a href="#">A6-0292/2007</a>	
14/11/2007	Decision by Parliament, 1st reading	<a href="#">T6-0520/2007</a>	Summary
14/11/2007	Results of vote in Parliament		
03/03/2008	Act adopted by Council after Parliament's 1st reading		
11/03/2008	Final act signed		
11/03/2008	End of procedure in Parliament		
20/03/2008	Final act published in Official Journal		

**Technical information**

<b>Procedure reference</b>	2006/0296(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Directive
	Amending Directive 2001/18/EC 1998/0072(COD)
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 095
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	ENVI/6/44492


**Documentation gateway****European Parliament**

Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE388.553</a>	05/06/2007	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0292/2007</a>	23/07/2007	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0520/2007</a>	14/11/2007	<a href="#">Summary</a>

**Council of the EU**

Document type	Reference	Date	Summary
Draft final act	<a href="#">03681/2007/LEX</a>	11/03/2008	

**European Commission**

Document type	Reference	Date	Summary
Legislative proposal	<a href="#">COM(2006)0920</a> 	22/12/2006	<a href="#">Summary</a>
Commission response to text adopted in plenary	<a href="#">SP(2007)6527</a>	18/12/2007	

**Additional information**

Source	Document	Date
National parliaments	<a href="#">IPEX</a>	
European Commission	<a href="#">EUR-Lex</a>	

**Final act**

[Directive 2008/0027](#)  
[OJ L 081 20.03.2008, p. 0045](#)

[Summary](#)

# Deliberate release into the environment of genetically modified organisms: implementing powers conferred on the Commission

2006/0296(COD) - 11/03/2008 - Final act

**PURPOSE:** to amend Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms, by introducing a reference to the new regulatory procedure with scrutiny (comitology).

**LEGISLATIVE ACT:** Directive 2008/27/EC of the European Parliament and of the Council amending Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms, as regards the implementing powers conferred on the Commission.

**CONTENT:** to recall, Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Council Decision 2006/512/EC ([CNS/2002/0298](#)).

The amended Decision introduces a new *regulatory procedure with scrutiny* to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision. This may include deleting some of those elements or supplementing the instrument, by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument in cases where:

- the draft may exceed the implementing powers provided for in the basic instrument;
- the draft is incompatible with the aim or the content of that instrument; or
- the draft fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of 26 basic instruments already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see [ACI/2006/2152](#)). Each case has been assessed on the nature of the implementing powers conferred on the Commission and the specificity of each sector.

The purpose of this act, therefore, is to amend EU legislation concerning the deliberate release into the environment of genetically modified organisms, by introducing the new *regulatory procedure with scrutiny*.

**ENTRY INTO FORCE:** 21 March 2008.

# Deliberate release into the environment of genetically modified organisms: implementing powers conferred on the Commission

2006/0296(COD) - 22/12/2006 - Legislative proposal

**PURPOSE:** to amend Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms by introducing a reference to the new regulatory procedure with scrutiny (comitology).

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**CONTENT:** Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Council Decision 2006/512/EC ([CNS/2002/0298](#)).

The amended Decision introduces a new regulatory procedure with scrutiny to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument when it considers that the draft exceeds the implementing powers provided for in the basic instrument, or that the draft is incompatible with the aim or the content of that instrument or fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of 26 basic instruments already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see [ACI/2006/2152](#)). Each case has been assessed on its own merits, notably in view of the nature of the implementing powers conferred on the Commission and the specificity of each sector.

Lastly, in accordance with the abovementioned statement, the Commission is proposing to repeal any provisions of these instruments that provide for a time-limit on the delegation of implementing powers to the Commission.

# Deliberate release into the environment of genetically modified organisms: implementing powers conferred on the Commission

2006/0296(COD) - 14/11/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by the report drafted by Gyula **HEGYI** (PES, HU) and made some amendments to the Commission's proposal to amend Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms by introducing a reference to the new regulatory procedure with scrutiny. These were designed to expand the list of areas where implementing measures would be adopted in accordance with the regulatory procedure with scrutiny. These areas include the following:

- the establishment of threshold levels for the presence of GMOs in products above which labelling is mandatory (Article 21(3));

- conditions for the implementation of labelling provisions (Article 26(2)).

With regard to safeguard measures, Article 23(2) will now state that, within 60 days of the date of receipt of the information transmitted by the Member State, a decision shall be taken on the measure taken by that Member State. For the purpose of calculating the 60 day period, any period of time during which the Commission is awaiting further information or is seeking the opinion of the Scientific Committee which has been consulted shall not be taken into account. The period of time during which the Commission is awaiting the opinion of the Scientific Committee consulted shall not exceed 60 days. Similarly, the period of time that Council takes to act in accordance with the regulatory procedure shall not be taken into account.

Lastly, the text establishes that technical guidance notes will not be subject to the regulatory procedure with scrutiny.