



Basic information	
<p>2006/0294(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	Procedure completed
<p>Maximum residue levels of pesticides in or on food and feed of plant and animal origin: implementing powers conferred on the Commission</p> <p>Amending Regulation (EC) No 396/2005 2003/0052(COD)</p> <p>Subject</p> <p>3.10.10 Foodstuffs, foodstuffs legislation 4.60.04.04 Food safety</p>	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	ENVI	Environment, Public Health and Food Safety	STURDY Robert (PPE-DE)	27/02/2007
Council of the European Union	Council configuration		Meetings	Date
	Environment		2856	2008-03-03
European Commission	Commission DG		Commissioner	
	Environment		DIMAS Stavros	

Key events			
Date	Event	Reference	Summary
22/12/2006	Legislative proposal published	COM(2006)0908 	Summary
17/01/2007	Committee referral announced in Parliament, 1st reading		
12/09/2007	Vote in committee, 1st reading		Summary
24/09/2007	Committee report tabled for plenary, 1st reading	A6-0342/2007	
29/11/2007	Decision by Parliament, 1st reading	T6-0563/2007	Summary
29/11/2007	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		
09/04/2008	Final act published in Official Journal		

Technical information

Procedure reference	2006/0294(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 396/2005 2003/0052(COD)
Legal basis	EC Treaty (after Amsterdam) EC 152-p4b EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/44484


Documentation gateway**European Parliament**

Document type	Committee	Reference	Date	Summary
Committee draft report		PE388.627	19/07/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0342/2007	24/09/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0563/2007	29/11/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03694/2007/LEX	11/03/2008	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2006)0908 	22/12/2006	Summary
Commission response to text adopted in plenary	SP(2007)6527	18/12/2007	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

[Regulation 2008/0299](#)
[OJ L 097 09.04.2008, p. 0067](#)

[Summary](#)

Maximum residue levels of pesticides in or on food and feed of plant and animal origin: implementing powers conferred on the Commission

2006/0294(COD) - 22/12/2006 - Legislative proposal

PURPOSE: to amend Regulation 396/2005/EC on maximum residue levels of pesticides in or on food and feed by introducing a reference to the new regulatory procedure with scrutiny (comitology).

PROPOSED ACT: Regulation 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.

Maximum residue levels of pesticides in or on food and feed of plant and animal origin: implementing powers conferred on the Commission

2006/0294(COD) - 29/11/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a report drawn up by Robert **STURDY** (EPP-ED, UK), and made some amendments to the proposal for a regulation amending Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed as regards the implementing powers conferred on the Commission.

The main amendments were as follows:

- the products, product groups and/or parts of products referred to in Article 2(1) to which harmonised MRLs shall apply shall be defined in and covered by Annex I. Those measures designed to amend non-essential elements of the Regulation shall be adopted in accordance with the regulatory procedure with scrutiny. Annex I shall include all products for which MRLs are set, as well as the other products for which it is appropriate to apply harmonised MRLs in particular in view of their relevance in the diet of consumers or in trade. Products shall be grouped in such a way that MRLs may as far as possible be set for a group of similar or related products;
- in certain paragraphs, where the regulatory procedure with scrutiny applies, Parliament stated that on imperative grounds of urgency, the Commission may use the urgency procedure referred to in Article 45(5) in order to ensure a high level of consumer protection;
- Parliament will have the normal scrutiny period without curtailment on the grounds of urgency for the first establishment of Annexes II and III;
- Parliament did not make any amendments regarding the application of the regulatory procedure with scrutiny to any individual decisions.

Maximum residue levels of pesticides in or on food and feed of plant and animal origin: implementing powers conferred on the Commission

2006/0294(COD) - 11/03/2008 - Final act

PURPOSE: to amend Regulation 396/2005/EC on maximum residue levels of pesticides in or on food and feed by introducing a reference to the new regulatory procedure with scrutiny (comitology).

LEGISLATIVE ACT: Regulation (EC) No 299/2008 of the European Parliament and of the Council amending Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin, as regards the implementing powers conferred on the Commission.

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.

Accordingly, this Decision provides that the regulatory procedure with scrutiny is applicable when the Commission defines the scope of Regulation (EC) No 396/2005 and the criteria necessary for the establishment of certain maximum residue levels (MRLs) of pesticides in or on food and feed of plant and animal origin listed in its relevant annexes.

Furthermore, on grounds of efficiency and in order to guarantee economic operators a rapid decision-making process, whilst ensuring a high level of consumer protection, the normal time limits for the regulatory procedure with scrutiny should be curtailed for the adoption of measures setting, including, implementing, modifying or deleting MRLs and establishing a list of active substances for which no MRLs are required, as well as a list of active substance/product combinations where active substances are used as fumigant for post-harvest treatment.

ENTRY INTO FORCE: 10/04/2008.