


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2010/0367(COD) Procedure completed
Trade in processed agricultural products: obsolete act	
Subject 3.10.03 Marketing and trade of agricultural products and livestock 6.20 Common commercial policy in general	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	INTA International Trade	S&D MOREIRA Vital Shadow rapporteur ALDE KAZAK Metin	26/01/2011
Council of the European Union	Council configuration Agriculture and Fisheries	Meeting 3120	Date 20/10/2011
European Commission	Commission DG Internal Market, Industry, Entrepreneurship and SMEs	Commissioner TAJANI Antonio	

Key events			
16/12/2010	Legislative proposal published	COM(2010)0756	Summary
18/01/2011	Committee referral announced in Parliament, 1st reading		
21/06/2011	Vote in committee, 1st reading		Summary
27/06/2011	Committee report tabled for plenary, 1st reading	A7-0250/2011	
13/09/2011	Results of vote in Parliament		
13/09/2011	Decision by Parliament, 1st reading	T7-0348/2011	Summary
20/10/2011	Act adopted by Council after Parliament's 1st reading		
16/11/2011	Final act signed		
16/11/2011	End of procedure in Parliament		
08/12/2011	Final act published in Official Journal		

Technical information	
Procedure reference	2010/0367(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 207-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/04932

Documentation gateway					
Legislative proposal		COM(2010)0756	16/12/2010	EC	Summary
Committee draft report		PE464.838	09/05/2011	EP	
Amendments tabled in committee		PE466.978	30/05/2011	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0250/2011	27/06/2011	EP	
Text adopted by Parliament, 1st reading/single reading		T7-0348/2011	13/09/2011	EP	Summary
Commission response to text adopted in plenary		SP(2011)8584	09/11/2011	EC	
Draft final act		00032/2011/LEX	16/11/2011	CSL	

Additional information	
European Commission	EUR-Lex

Final act
Regulation 2011/1228 OJ L 326 08.12.2011, p. 0017 Summary

Trade in processed agricultural products: obsolete act

PURPOSE: to repeal two Council acts which have become obsolete in the field of trade in agricultural products (Regulations (EEC) No 429/73 and (EC) No 215/2000).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

LEGAL BASE: Article 207(2) of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: no impact assessment was carried out.

CONTENT: a number of acts which were adopted over the last decades have exhausted all their effects, but remain technically into force. They have become obsolete because of their temporary character or because their content has been taken up by successive acts. Several measures linked to the accession of new Member States have become obsolete following their

accession. The European Parliament, the Council and the Commission agreed in their interinstitutional agreement on better law making that Union law should be updated and condensed

by repealing acts which are no longer applied. Acts which have no continued relevance should be removed from the 'Union acquis', in order to improve transparency and certainty of Union law.

The Commission identified two Council acts in the area of trade in goods resulting from the processing of agricultural products, which are based upon Article 207 of the Treaty on the Functioning of the European Union (formerly art 133 of the Treaty establishing the European Community and before art 113 of the Treaty establishing the European Community), which have exhausted all practical effects, but are

formally still in force. It is not within the Commission's powers to declare acts obsolete which were adopted by the Council. In the interest of legal certainty, the Commission suggests that the acts listed in this proposal shall be repealed by the Council.

This proposal concerns:

- the repeal of Council Regulation (EEC) No 429/73 that determines the reduced fixed component of the import duties for processed agricultural products originating in Turkey. Its provisions became obsolete because Decision No 1/95 of the EC Turkey Association Council of 22 December 1995 on implementing the final phase of the Custom Union has eliminated Customs duties for goods originating in Turkey;
- the repeal of Council Regulation (EEC) No 215/2000 that renewed preferential tariff quotas only for the year 2000 and that has exhausted all its effects.

BUDGETARY IMPLICATION: this proposal has no implication for the EU budget.

Trade in processed agricultural products: obsolete act

The Committee on International Trade adopted the report drafted by Vital MOREIRA (S&D, PT) on the proposal for a regulation of the European Parliament and of the Council repealing Regulation (EEC) No 429/73 making special provisions for imports into the Community of certain goods coming under Regulation (EEC) No 1059/69 and originating in Turkey and Regulation (EC) No 215/2000 renewing for 2000 the measures laid down in Regulation (EC) No 1416/95 establishing certain concessions in the form of Community tariff quotas in 1995 for certain processed agricultural products.

It recommended that the European Parliament's position at first reading, under the ordinary legislative procedure, should be to amend the Commission proposal in order to establish more clarity and legal certainty for the European Union's citizens and institutions.

Members propose that only Regulation (EEC) No 429/73 should be repealed.

The repeal of the Regulation shall be without prejudice to: (a) the maintenance in force of Union acts adopted on the basis of the said Regulation; and (b) the continuing validity of amendments made by the Regulation to other acts of Union law that are not repealed by this Regulation.

Trade in processed agricultural products: obsolete act

The European Parliament adopted by 616 votes to 2, with 9 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council repealing Regulation (EEC) No 429/73 making special provisions for imports into the Community of certain goods coming under Regulation (EEC) No 1059/69 and originating in Turkey and Regulation (EC) No 215/2000 renewing for 2000 the measures laid down in Regulation (EC) No 1416/95 establishing certain concessions in the form of Community tariff quotas in 1995 for certain processed agricultural products.

Parliament adopted its position in first reading in accordance with the ordinary legislative procedure.

The amendments adopted in plenary are the result of a compromise negotiated between Parliament and Council. As requested by the Members, the amended text stipulates that only Regulation (EEC) No 429/73 should be repealed.

The repeal of the act shall be without prejudice to: (a) the maintenance in force of Union acts adopted on the basis of those acts; and (b) the continuing validity of amendments made by the acts to other acts of Union law that are not repealed by this Regulation.

Trade in processed agricultural products: obsolete act

PURPOSE: to repeal Regulation 429/73 which has become obsolete (imports of certain goods originating from Turkey).

LEGISLATIVE ACT: Regulation (EU) No 1228/2011 of the European Parliament and of the Council repealing Regulation (EEC) No 429/73 of the Council making special provisions for imports into the Community of certain goods coming under Regulation (EEC) No 1059/69 and originating in Turkey.

CONTENT: the Council repealed regulation 429/73 making special provisions for imports into the EU of certain goods coming under regulation 1059/69 and originating in Turkey, following a first-reading agreement with the European Parliament.

Regulation 429/73 was adopted in order to determine the reduced fixed component of the import duties for processed agricultural products originating in Turkey and imported in the framework of the additional protocol to the agreement establishing an association between the European Economic Community and Turkey, signed on 23 November 1970.

Decision No 1/95 of the EC Turkey association council of 22 December 1995 on implementing the final phase of the Custom Union lays down the rules for determining the customs duties for processed agricultural products originating in Turkey and imported into the EU.

Therefore regulation 429/73 has become obsolete.

Improving the transparency of Union law is an essential element of the better lawmaking strategy that the institutions of the Union are implementing. In that context it is appropriate to remove from the legislation in force those acts which no longer have real effect.

ENTRY INTO FORCE: 11/12/2011.