

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Common agricultural policy (CAP): repeal of certain obsolete acts	
Repealing Regulation (EC) No 2443/96 1996/0286(CNS) Repealing Regulation (EC) No 2200/97 1997/0031(CNS) Repealing Regulation (EC) No 2800/98 1998/0215(CNS) Repealing Regulation (EC) No 2330/98 1998/0244(CNS) Repealing Regulation (EC) No 660/1999 1998/0306(CNS) Repealing Regulation (EC) No 2802/98 1998/0343(CNS) Repealing Regulation (EC) No 546/2002 2001/0276(CNS)	
Subject 3.10 Agricultural policy and economies	

Key players			
European Parliament	Committee responsible AGRI Agriculture and Rural Development	Rapporteur S&D DE CASTRO Paolo	Appointed 26/01/2011
	Committee for opinion JURI Legal Affairs	Rapporteur for opinion The committee decided not to give an opinion.	Appointed
Council of the European Union	Council configuration Agriculture and Fisheries	Meeting 3120	Date 20/10/2011
European Commission	Commission DG Regional and Urban Policy	Commissioner CIOLOŞ Dacian	

Key events			
20/12/2010	Legislative proposal published	COM(2010)0764	Summary
18/01/2011	Committee referral announced in Parliament, 1st reading		
27/06/2011	Vote in committee, 1st reading		Summary
28/06/2011	Committee report tabled for plenary, 1st reading	A7-0252/2011	
13/09/2011	Results of vote in Parliament		
13/09/2011	Decision by Parliament, 1st reading	T7-0346/2011	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	2010/0368(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	<p>Repealing Regulation (EC) No 2443/96 1996/0286(CNS)</p> <p>Repealing Regulation (EC) No 2200/97 1997/0031(CNS)</p> <p>Repealing Regulation (EC) No 2800/98 1998/0215(CNS)</p> <p>Repealing Regulation (EC) No 2330/98 1998/0244(CNS)</p> <p>Repealing Regulation (EC) No 660/1999 1998/0306(CNS)</p> <p>Repealing Regulation (EC) No 2802/98 1998/0343(CNS)</p> <p>Repealing Regulation (EC) No 546/2002 2001/0276(CNS)</p>
Legal basis	Treaty on the Functioning of the EU TFEU 42-p1-a1; Treaty on the Functioning of the EU TFEU 043-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/7/04933

Documentation gateway					
Legislative proposal		COM(2010)0764	20/12/2010	EC	Summary
Economic and Social Committee: opinion, report		CES0358/2011	16/02/2011	ESC	
Committee draft report		PE456.930	25/05/2011	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0252/2011	28/06/2011	EP	
Text adopted by Parliament, 1st reading/single reading		T7-0346/2011	13/09/2011	EP	Summary
Commission response to text adopted in plenary		SP(2011)8584	09/11/2011	EC	
Draft final act		00033/2011/LEX	16/11/2011	CSL	

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

Final act	
Regulation 2011/1229	
OJ L 326 08.12.2011, p. 0018	Summary

Common agricultural policy (CAP): repeal of certain obsolete acts

PURPOSE: to repeal certain obsolete Council acts in the field of the common agricultural policy.

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

LEGAL BASE: First subparagraph of Article 42 and Article 43(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 in 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 provided for transitory measures following directly the time of their accession and by now have become obsolete. The European Parliament, the Council and the Commission agreed in their inter-institutional agreement on better law making that Community 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 'acquis communautaire', in order to improve transparency and certainty of Union law.

The Commission has carried out several exercises to remove obsolete legislation from the acquis, partly through the traditional repeal procedure, partly by declaring the relevant Commission acts obsolete. The Commission also identified a number of Council acts related to the Common Agricultural Policy, which are based upon Article 42 and 43 of the Treaty (former Articles 36 and 37) and two Acts of Accession, which have exhausted all practical effects, but are formally still in force. It is not within the Commission's powers to declare obsolete acts 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 and the European Parliament.

Regulations (EEC) No 2052/69, (EEC) No 1467/70, (EEC) No 3279/75, (EEC) No 1078/77, (EEC) No 1853/78, (EEC) No 2580/78, (EEC) No 1/81, (EEC) No 1946/81, (EEC) No 2989/82, (EEC) No 3033/83, (EEC) No 564/84, (EEC) No 2997/87, (EEC) No 1441/88, (EEC) No 1720/91, (EEC) No 740/93, (EEC) No 741/93, (EEC) No 744/93, (EC) No 2443/96, (EC) No 2200/97, (EC) No 2330/98, (EC) No 2800/98, (EC) No 2802/98, (EC) No 660/1999, (EC) No 546/2002, (EC) No 527/2003 are repealed.

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

Common agricultural policy (CAP): repeal of certain obsolete acts

The Committee on Agriculture and Rural Development adopted the report drafted by Paolo DE CASTRO (S&D, PT) on the proposal for a regulation of the European Parliament and of the Council on repealing certain obsolete Council acts in the field of the common agricultural policy.

It recommended that the European Parliament's position at first reading, under the ordinary legislative procedure, should be to amend the Commission proposal.

Corrections have been made to the following measures:

Under recital 2d, it specified the measures introduced by Council Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds introduced measures applicable until 1981.

Under recital 2l, the measures introduced by Council Regulation (EEC) No 2997/87 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production introduced a special measure applicable until the year 1995 (for the UK).

Other amendments to dates have been made in recital 2x and 2y.

Lastly, Members have introduced amendments granting the continuing validity of legal acts that derive from the repealed legal acts.

Common agricultural policy (CAP): repeal of certain obsolete acts

The European Parliament adopted by 612 votes to 2, with 9 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on repealing certain obsolete Council acts in the field of the common agricultural policy.

Parliament adopted its position at first reading, under the ordinary legislative procedure.

The amendments adopted in plenary are the result of a compromise negotiated between Parliament and Council. They amend the Commission proposal as follows.

In the recitals, it is stipulated that:

- Regulation (EEC) No 1467/70 of the Council fixing certain general rules governing intervention on the market in raw tobacco has exhausted its effects as a result of successive reforms of the tobacco sector since 1992;
- Council Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds introduced measures applicable until 1981 and has therefore exhausted its effects;
- Council Regulation (EEC) No 2997/87 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production introduced a special measure applicable until the year 1995 and has therefore exhausted its effects;
- Council Regulation (EC) No 2330/98 providing for an offer of compensation to certain producers of milk and milk products temporarily restricted in carrying out their trade covered only a special temporary measure and has therefore exhausted its effects;
- Council Regulation (EC) No 527/2003 authorising the offer and delivery for direct human consumption of certain wines imported from

Argentina which may have undergone oenological processes not provided for in Regulation (EC) No 1493/1999 was intended to introduce a derogation applicable only until 31 December 2008 and has therefore exhausted its effects.

Lastly, Parliament has also introduced amendments granting the continuing validity of legal acts that derive from the repealed legal acts.

Common agricultural policy (CAP): repeal of certain obsolete acts

PURPOSE: to repeal certain obsolete Council acts in the field of the common agricultural policy.

LEGISLATIVE ACT: Regulation (EU) No 1229/2011 of the European Parliament and of the Council repealing certain obsolete Council acts in the field of the common agricultural policy.

CONTENT: the Council adopted a regulation on repealing certain obsolete acts in the field of the common agricultural policy (CAP), following a first-reading agreement with the European Parliament.

A number of regulations relating to the CAP have become obsolete, even though they are formally still in force. The repeal process also concerns other acts which no longer have real effect (see [COD/2010/0367](#) and [COD/2010/0369](#)).

It should be noted that this Regulation granting the continuing validity of legal acts that derive from the repealed legal acts.

ENTRY INTO FORCE: 11/12/2011.