

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed 2011/0445(COD)
Tariff quotas for certain meat and cereal products: alignment of Regulation with the TFEU (Commission delegated and implementing powers)	
Subject 3.10.05.01 Meat 3.10.06.03 Cereals, rice 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin 8.50.01 Implementation of EU law	

Key players			
European Parliament	Committee responsible INTA International Trade	Rapporteur S&D MOREIRA Vital Shadow rapporteur PPE QUISTHOUDT-ROWOHL Godelieve ALDE KAZAK Metin	Appointed 25/01/2012
	Committee for opinion AGRI Agriculture and Rural Development	Rapporteur for opinion The committee decided not to give an opinion.	Appointed
Council of the European Union	Council configuration Agriculture and Fisheries	Meeting 3293	Date 17/02/2014
European Commission	Commission DG Agriculture and Rural Development	Commissioner CIOLOȘ Dacian	

Key events			
21/12/2011	Legislative proposal published	COM(2011)0906	Summary
17/01/2012	Committee referral announced in Parliament, 1st reading		
21/06/2012	Vote in committee, 1st reading		
26/06/2012	Committee report tabled for plenary, 1st reading	A7-0212/2012	Summary
12/09/2012	Results of vote in Parliament		
12/09/2012	Decision by Parliament, 1st reading	T7-0328/2012	Summary

14/01/2014	Decision by Parliament, 1st reading	T7-0006/2014	Summary
17/02/2014	Act adopted by Council after Parliament's 1st reading		
26/02/2014	Final act signed		
26/02/2014	End of procedure in Parliament		
20/03/2014	Final act published in Official Journal		

Technical information

Procedure reference	2011/0445(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
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/08381

Documentation gateway

Legislative proposal	COM(2011)0906	21/12/2011	EC	Summary
Committee draft report	PE487.987	07/05/2012	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0212/2012	26/06/2012	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading	T7-0328/2012	12/09/2012	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T7-0006/2014	14/01/2014	EP	Summary
Commission response to text adopted in plenary	SP(2014)167	19/02/2014	EC	
Draft final act	00104/2013/LEX	26/02/2014	CSL	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2014/252](#)

[OJ L 084 20.03.2014, p. 0035](#) Summary

Final legislative act with provisions for delegated acts

Tariff quotas for certain meat and cereal products: alignment of Regulation with the TFEU (Commission delegated and implementing powers)

PURPOSE: alignment of Regulation (EC) No 774/94 with the new provisions foreseen under Articles 290 and 291 of the Treaty, following the entry into force of the Lisbon Treaty.

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

BACKGROUND: Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU) distinguish two different types of Commission acts:

- Article 290 of the TFEU allows the legislator to delegate to the Commission the power to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. Legal acts adopted by the Commission in this way are referred to in the terminology used by the Treaty as "delegated acts" (Article 290(3)).
- Article 291 of the TFEU allows Member States to adopt all measures of national law necessary to implement legally binding Union acts. Those acts can confer implementing powers on the Commission where uniform conditions for implementing them are needed. Legal acts adopted by the Commission in this way are referred to in the terminology used by the Treaty as "implementing acts" (Article 291(4)).

As a consequence of the entry into force of the Lisbon Treaty, the powers conferred upon the Commission under Regulation (EC) No 774/94 need to be aligned to Articles 290 and 291 of the Treaty on the Functioning of the European Union.

IMPACT ASSESSMENT: there was no need for consultation of interested parties or for an impact analysis since the proposal to align Council Regulation (EC) 774/94 with the TFEU is an inter-institutional matter that will concern all Council Regulations.

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

CONTENT: the objective of the present proposal consists in aligning Council Regulation (EC) No. 774/94 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues to Articles 290 and 291 of the Treaty.

- Regulation (EC) No 774/94 confers powers on the Commission allowing it to adopt the necessary implementing measures. It also confers powers on the Commission to adopt adjustments to that Regulation, should the volumes and other conditions of quota arrangements be adjusted, in particular by a decision to approve an agreement with one or more third countries.
- In order to ensure uniform conditions for the implementation of Regulation (EC) No 774/94, the relevant implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commissions exercise of implementing powers.

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

Tariff quotas for certain meat and cereal products: alignment of Regulation with the TFEU (Commission delegated and implementing powers)

The Committee on International Trade adopted the report by Vital MOREIRA (ALDE, PT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues.

The committee recommends that the European Parliaments position in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Powers conferred on the Commission: the committee made the following amendments:

- it emphasised the need for the European Parliament to be duly involved in preparation and implementation of delegated acts;
- the delegation of power shall be conferred on the Commission for a period of five years (rather than for an interderminate period, as the Commission had proposed) ;
- the Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period;
- the European Parliament and Council will have four months (rather than two) to object to a delegated act.

Written procedure in committee: the Commission shall be assisted by a Committee within the meaning of Regulation (EU) No 182/2011. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a majority of committee members so request.

Tariff quotas for certain meat and cereal products: alignment of Regulation with the TFEU (Commission delegated and implementing powers)

The European Parliament adopted by 654 votes to 7, with 13 abstentions, amendments to the proposal for a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues.

The matter was sent back to the committee responsible and the vote was postponed until a later session.

Powers conferred on the Commission: the main amendments are as follows:

- the need for the European Parliament to be duly involved in the preparation and implementation of delegated acts;

- the delegation of power shall be conferred on the Commission for a period of five years that can be tacitly renewed for an identical duration (rather than for an indeterminate period, as the Commission had proposed);
- the Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period ;
- the European Parliament and Council will have four months (rather than two) to object to a delegated act.

Written procedure in committee (implementing powers): the Commission shall be assisted by a Committee established by the future aligned Single CMO Regulation within the meaning of Regulation (EU) No 182/2011. The amended text stipulates that where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a majority of committee members so request.

Tariff quotas for certain meat and cereal products: alignment of Regulation with the TFEU (Commission delegated and implementing powers)

The European Parliament adopted by 655 votes to 21, with 8 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues.

The matter had been sent back for reconsideration to the committee responsible at the plenary session of 12 September 2013.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement between Parliament and Council. They amend the proposal as follows:

Powers delegated to the Commission: in order to comply with international commitments and where the volumes and other conditions of the quota arrangements referred to in the Regulation are adjusted by the European Parliament and the Council or by the Council, in particular by a Council decision concluding an agreement with one or more third countries, the Commission shall be empowered to adopt delegated acts concerning the resulting amendments to the Regulation.

The power to adopt delegated acts shall be conferred on the Commission for a period of five years from the date of entry into force of the Regulation and may be tacitly extended.

The period for expressing objections to proposed delegated acts shall be two months.

Application of written procedure (implementing powers): the Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

The amended text states that where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or at least a quarter of committee members so request.

Tariff quotas for certain meat and cereal products: alignment of Regulation with the TFEU (Commission delegated and implementing powers)

PURPOSE: to align the provisions of Regulation (EC) No 774/94 with the new rules of the Treaty on the Functioning of the European Union (TFEU) (Commission delegated and implementing powers).

LEGISLATIVE ACT: Regulation (EU) No 252/2014 of the European Parliament and the Council amending Regulation (EU) No 774/94 as regards the implementing and delegated powers to be conferred on the Commission.

CONTENT: this amendment aims to align the powers conferred on the Commission under Regulation (EC) No 774/94 on the new rules of the TFEU which introduced a distinction between the delegated powers (Article 290) and the implementing powers of the Commission (Article 291).

Council Regulation (EC) No 774/94 provides for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues.

The amending Regulation delegates to the Commission the power to adopt acts in respect of the adoption of amendments to that Regulation, should the volumes and other conditions of quota arrangements be adjusted, in particular by a Council decision to conclude an agreement with one or more third countries.

The power to adopt delegated acts shall be conferred on the Commission for a period of five years (renewable) from 9 April 2014. The European Parliament or the Council may raise objections in regard to a delegated act within two months of notification of that act (this period may be extended by two months).

The Regulation also confers implementing powers on the Commission in order to ensure uniform conditions for the implementation of Regulation (EC) No 774/94 in respect of the rules necessary for the quota arrangements referred to in that Regulation. In this context, the Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council.

ENTRY INTO FORCE: 09/04/2014.