


Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2012/0046(NLE)	Procedure completed
EU/Brazil and EU/Thailand Agreements: modification of concessions on processed poultry meat See also 2012/0054(COD) Subject 3.10.05.03 Eggs and poultry 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO) 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin Geographical area Thailand Brazil		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	INTA International Trade		25/04/2012
		S&D MOREIRA Vital	
		Shadow rapporteur	
		PPE ŠŤASTNÝ Peter	
		ECR STURDY Robert	
	Committee for opinion	Rapporteur for opinion	Appointed
	AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Employment, Social Policy, Health and Consumer Affairs3206		06/12/2012
	Foreign Affairs	3159	23/04/2012
European Commission	Commission DG	Commissioner	
	Agriculture and Rural Development	CIOLOȘ Dacian	

Key events			
15/03/2012	Preparatory document	COM(2012)0106	Summary
04/04/2012	Legislative proposal published	07883/2012	Summary
05/07/2012	Committee referral announced in Parliament		
11/10/2012	Vote in committee		

24/10/2012	Committee report tabled for plenary, 1st reading/single reading	A7-0350/2012	Summary
21/11/2012	Results of vote in Parliament		
21/11/2012	Decision by Parliament	T7-0437/2012	Summary
06/12/2012	Act adopted by Council after consultation of Parliament		
06/12/2012	End of procedure in Parliament		
20/12/2012	Final act published in Official Journal		

Technical information

Procedure reference	2012/0046(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
	See also 2012/0054(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 207-p4
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/09179

Documentation gateway

Preparatory document	COM(2012)0106	15/03/2012	EC	Summary
Legislative proposal	07883/2012	04/04/2012	CSL	Summary
Document attached to the procedure	07884/2012	04/04/2012	CSL	
Document attached to the procedure	07885/2012	04/04/2012	CSL	
Committee draft report	PE494.674	28/08/2012	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0350/2012	24/10/2012	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T7-0437/2012	21/11/2012	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Decision 2012/792](#)
[OJ L 351 20.12.2012, p. 0047](#) Summary

EU/Brazil and EU/Thailand Agreements: modification of concessions on processed poultry meat

PURPOSE: to conclude two agreements between the European Union and Brazil and Thailand respectively in order to deal with the problem of potential substitution effects in the import of poultry.

PROPOSED ACT: Council Decision.

BACKGROUND: negotiations under Article XXVIII of GATT 1994 concluded on poultry in 2007 covered tariff lines on poultry meat under heading 0210 as well as one processed poultry line, 1602 32 19 in the EC Schedule CXL: cooked preparations containing more than 57% of poultry meat. Limiting the negotiations to the processed poultry line 1602 32 19 was considered to sufficiently prevent potential substitution effects.

Subsequent import data, however, showed a dramatic import surge of processed poultry meat under tariff line 1602 32 30: preparations containing 25% or more but less than 57% by weight of poultry meat or offal. This indicated that exporters seemed to take advantage of a relative gap in the EU level of protection, substituting poultry preparations containing more than 57% of poultry meat with preparations containing less than 57%, under tariff line 1602 32 30. Comparable substitution effects were to be expected under other 1602 tariff lines in the future.

In order to comprehensively address these substitution effects affecting the EU poultry industry, the Commission requested from the Council the authorisation to renegotiate the concessions on poultry meat under Chapter 16 of the CN.

The Commission has negotiated with the Federal Republic of Brazil and with the Kingdom of Thailand holding each principal supplying interests and/or substantial interests in various of the tariff lines concerned.

The negotiations have resulted in Agreements in the form of exchanges of letters initialled with Thailand on 22 November 2011 and with Brazil on 7 December 2011. It is necessary to conclude the Agreements.

IMPACT ASSESSMENT: no impact assessment has been undertaken.

LEGAL BASIS: Articles 207(4), first subparagraph and 218(6)(a)(v) TFEU.

CONTENT: following the negotiations opened under Article XXVIII of the GATT 1994 in mid-2009 with Brazil and Thailand, this proposal concerns the conclusion of the Agreements between the European Union and Brazil and Thailand respectively in order to deal with the problem of potential substitution effects in the import of poultry.

BUDGETARY IMPLICATIONS: the financial impact of the Regulation of the European Parliament and of the Council, implementing these Agreements, is indicated in its specific Financial Statement, and can be estimated of a reduction of own resources of an approximated net amount of EUR 1.4 million, after deduction of 25% of collection costs by Member States.

EU/Brazil and EU/Thailand Agreements: modification of concessions on processed poultry meat

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PROPOSED ACT: Council Decision.

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Subsequent import data, however, showed a dramatic import surge of processed poultry meat under tariff line 1602 32 30: preparations containing 25% or more but less than 57% by weight of poultry meat or offal. This indicated that exporters seemed to take advantage of a relative gap in the EU level of protection, substituting poultry preparations containing more than 57% of poultry meat with preparations containing less than 57%, under tariff line 1602 32 30. Comparable substitution effects were to be expected under other 1602 tariff lines in the future.

In order to comprehensively address these substitution effects affecting the EU poultry industry, the Commission requested from the Council the authorisation to renegotiate the concessions on poultry meat under Chapter 16 of the CN.

The Commission has negotiated with Brazil and Thailand holding each principal supplying interests and/or substantial interests in several of the tariff lines concerned.

The negotiations have resulted in Agreements in the form of exchanges of letters initialled with Thailand on 22 November 2011 and with Brazil on 7 December 2011. It is necessary to conclude the Agreements on behalf of the European Union.

IMPACT ASSESSMENT: no impact assessment has been undertaken.

LEGAL BASIS: Articles 207(4), first subparagraph and 218(6)(a)(v) TFEU.

CONTENT: following the negotiations opened under Article XXVIII of the GATT 1994 in mid-2009 with Brazil and Thailand, this proposal concerns the conclusion of the Agreements between the European Union and Brazil and Thailand respectively in order to deal with the problem of potential substitution effects in the import of poultry.

Under this proposed Decision, it is provided that only these be concluded on behalf of the European Union.

BUDGETARY IMPLICATIONS: the financial impact of the Regulation of the European Parliament and of the Council, implementing these Agreements, is indicated in its specific Financial Statement, and can be estimated of a reduction of own resources of an approximated net amount of EUR 1.4 million, after deduction of 25% of collection costs by Member States.

EU/Brazil and EU/Thailand Agreements: modification of concessions on processed poultry meat

The Committee on International Trade adopted the report by Vital MOREIRA (S&D, PT) on the draft Council decision on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and Brazil pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994, and of the Agreement in the form of an Exchange of Letters between the European Union and Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994.

The parliamentary committee recommends that Parliament gives its consent to the conclusion of the agreements.

EU/Brazil and EU/Thailand Agreements: modification of concessions on processed poultry meat

The European Parliament adopted a legislative resolution approving the draft Council decision on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and Brazil pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994, and of the Agreement in the form of an Exchange of Letters between the European Union and Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994.

Parliament gives its consent to conclusion of the Agreements.

EU/Brazil and EU/Thailand Agreements: modification of concessions on processed poultry meat

PURPOSE: to conclude Agreements between the European Union and Brazil and Thailand respectively in order to deal with the problem of potential substitution effects in the import of poultry.

NON-LEGISLATIVE ACT: Council Decision 2012/792/EU on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and Brazil pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994, and of the Agreement in the form of an Exchange of Letters between the European Union and Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994.

BACKGROUND: on 25 May 2009, the Council authorised the Commission to open negotiations under Article XXVIII of the GATT 1994 with a view to the renegotiation of concessions on poultry meat tariff lines under Chapter 16 of the Combined Nomenclature as provided for in Article 1 of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ("CN").

Those negotiations resulted in Agreements in the form of exchanges of letters initialled with Thailand on 22 November 2011 and with Brazil on 7 December 2011. In accordance with Council Decision 2012/231/EU of 23 April 2012, the Agreements were signed on behalf of the Union on 26 June 2012 with Brazil and on 18 June 2012 with Thailand.

The Agreements should now be approved on behalf of the European Union.

CONTENT: with this Decision, the Agreement in the form of an Exchange of Letters between the European Union and Brazil pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994, and the Agreement in the form of an Exchange of Letters between the European Union and Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions with respect to processed poultry meat provided for in the EU Schedule annexed to GATT 1994 are hereby approved on behalf of the Union.

GATT Agreement and its impact on poultry trade: negotiations under Article XXVIII of GATT 1994 concluded on poultry in 2007 covered tariff lines on poultry meat under heading 0210 as well as one processed poultry line, 1602 32 19 in the EC Schedule CXL: cooked preparations containing more than 57% of poultry meat. Limiting the negotiations to the processed poultry line 1602 32 19 was considered to sufficiently prevent potential substitution effects.

Subsequent import data, however, showed a dramatic import surge of processed poultry meat under tariff line 1602 32 30: preparations containing 25% or more but less than 57% by weight of poultry meat or offal. This indicated that exporters seemed to take advantage of a relative gap in the EU level of protection, substituting poultry preparations containing more than 57% of poultry meat with preparations containing less than 57%, under tariff line 1602 32 30. Comparable substitution effects were to be expected under other 1602 tariff lines in the future.

In order to comprehensively address these substitution effects affecting the EU poultry industry, an Agreement was considered necessary with Brazil and Thailand which both hold principal supplying interests and/or substantial interests in several of the tariff lines concerned.

This is the aim of this Agreement adopted on behalf of the EU is to deal with the problem of potential substitution effects in the import of poultry.

ENTRY INTO FORCE: the Decision shall enter into force on 7 December 2012. The Agreement shall enter into force when the necessary procedures have been completed.