




Procedure file

Basic information		
NLE - Non-legislative enactments	2013/0324(NLE)	Procedure completed
EU/USA Revised Memorandum of Understanding: importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the USA to certain products of the EU		
Subject 3.10.05.01 Meat 6.20.03 Bilateral economic and trade agreements and relations		
Geographical area United States		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 International Trade		14/10/2013
		S&D MOREIRA Vital	
		Shadow rapporteur PPE QUISTHOUDT-ROWOHL Godelieve ALDE SCHAAKE Marietje Verts/ALE BOVÉ José ECR STURDY Robert	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Agriculture and Rural Development		09/10/2013
		S&D DE CASTRO Paolo	
Council of the European Union	Council configuration Economic and Financial Affairs ECOFIN	Meeting 3290	Date 28/01/2014
European Commission	Commission DG Trade	Commissioner DE GUCHT Karel	

Key events			
02/10/2013	Preparatory document	COM(2013)0677	Summary
14/10/2013	Legislative proposal published	14374/2013	Summary
24/10/2013	Committee referral announced in Parliament		
28/11/2013	Vote in committee		
03/12/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0427/2013	Summary
10/12/2013	Results of vote in Parliament		
10/12/2013	Decision by Parliament	T7-0526/2013	Summary
28/01/2014	Act adopted by Council after consultation		

	of Parliament		
28/01/2014	End of procedure in Parliament		
30/01/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/0324(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 207; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/14151

Documentation gateway

Preparatory document		COM(2013)0677	02/10/2013	EC	Summary
Committee draft report		PE521.595	14/10/2013	EP	
Legislative proposal		14374/2013	15/10/2013	CSL	Summary
Document attached to the procedure		14375/2013	15/10/2013	CSL	
Committee opinion	AGRI	PE521.554	25/11/2013	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0427/2013	03/12/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0526/2013	10/12/2013	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Decision 2014/44](#)
[OJ L 027 30.01.2014, p. 0001](#) Summary

EU/USA Revised Memorandum of Understanding: importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the USA to certain products of the EU

PURPOSE: to conclude the revised Memorandum of Understanding with the United States of America Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: in accordance with a Council Decision, the revised Memorandum of Understanding (MoU) with the United States of America Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the

United States to Certain Products of the European Union was signed in Geneva on 13 May 2009, subject to its conclusion at a later date.

It is now necessary to approve the revised MoU on behalf of the European Union.

LEGAL BASIS: Article 207 in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: with the proposed Decision, it is sought to invite the Council to approve the abovementioned Protocol on behalf of the European Union.

Purpose and objectives: the MoU sets out different steps concerning the importation of beef not treated with growth-promoting hormones into the EU, as well the imposition of trade sanctions by the United States against EU products as part of the WTO dispute on EC - Measures Concerning Meat and Meat Products (Hormones).

These steps are grouped in three phases.

Phase 1 (August 2009 - August 2012): the EU opened an autonomous erga omnes tariff quota for 20 000 tons of "High Quality Beef", and the US reduced the level of sanctions applied to EU products.

Phase 2 (August 2012 - August 2013): the EU opened a larger quota for 45 000 tons of High Quality Beef, and the US suspended all trade sanctions on EU products resulting from the Hormones dispute. The MoU foresees that, should the Parties not reach agreement to enter into Phase 3 by the expiry of Phase 2, the MoU would be considered terminated; however, its core obligations of opening a quota for high quality beef and suspending all trade sanctions remain in place for six more months.

At this time there is no agreement to enter into Phase 3, but the termination of the MoU is not in the EU or US interest. The Parties could agree to extend Phase 2 until August 2015, while they continue discussions on Phase 3.

The amendment of the MoU also clarifies the elements of Phase 3, should the Parties agree to enter into it at the end of the extended Phase 2. The rules of the MoU concerning the management of licenses are also amended to reflect the system of "first come, first served", introduced in 2012.

Quota Management: the Commission should implement and administer the tariff rate quota set out in this Understanding in accordance with the General Agreement on Tariffs and Trade (GATT) 1994.

The United States and the EU:

- should monitor and review the operation of this Understanding;
- upon the request of either Party, conduct additional bilateral consultations regarding the operation of this Understanding, including issues of quota management.

Either the United States or the EU may withdraw from this Understanding by providing written notice to the other Party.

For the purposes of this Understanding, "High Quality Beef" has been defined. The indication "High Quality Beef" may be added to the information on the label.

Disputes: provisions are made concerning the settlement of disputes as regards the implementation of the MoU.

BUDGETARY IMPLICATION: the proposal has no implication for the Union budget.

EU/USA Revised Memorandum of Understanding: importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the USA to certain products of the EU

PURPOSE: to conclude the revised Memorandum of Understanding with the United States of America Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: in accordance with a Council Decision, the revised Memorandum of Understanding (MoU) with the United States of America Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union was signed in Geneva on 13 May 2009, subject to its conclusion at a later date.

It is now necessary to approve the revised MoU on behalf of the European Union.

LEGAL BASIS: the first subparagraph of Article 207(4), in conjunction with Article 218(6)(a)(v) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: with the proposed Decision, it is sought to invite the Council to approve the abovementioned Protocol on behalf of the European Union.

Subject matter and scope: the MoU sets out different steps concerning the importation of beef not treated with growth-promoting hormones into the EU, as well the imposition of trade sanctions by the United States against EU products as part of the WTO dispute on EC Measures Concerning Meat and Meat Products (Hormones).

These steps are grouped in three phases. The ultimate aim is for the EU to increase the permitted amount of imported "high quality beef" from the United States and for the United States to reduce/suspend application of any additional import duties on EU products.

Three- phased system:

- Phase 1 (August 2009 - August 2012): the EU opened an autonomous erga omnes tariff quota for 20 000 tons of "High Quality Beef", and the US reduced the level of sanctions applied to EU products.

- Phase 2 (August 2012 - August 2013): the EU opened a larger quota for 45 000 tons of High Quality Beef, and the US suspended all trade sanctions on EU products resulting from the Hormones dispute.

The MoU foresees that, should the Parties not reach agreement to enter into Phase 3 by the expiry of Phase 2, the MoU would be considered terminated; however, its core obligations of opening a quota for high quality beef and suspending all trade sanctions remain in place for six more months.

At this time there is no agreement to enter into Phase 3, but the termination of the MoU is not in the EU or US interest. The Parties could agree to extend Phase 2 until August 2015, while they continue discussions on Phase 3.

- The amendment of the MoU also clarifies the elements of Phase 3, should the Parties agree to enter into it at the end of the extended Phase 2. The rules of the MoU concerning the management of licenses are also amended to reflect the system of "first come, first served", introduced in 2012.

Quota management and monitoring the implementation of the Understanding: measures are laid down to regulate the management of quotas in accordance with the General Agreement on Tariffs and Trade (GATT).

The United States and the EU should:

- monitor and review the operation of this Understanding;
- upon the request of either Party, conduct additional bilateral consultations regarding the operation of this Understanding, including issues of quota management.

Either the United States or the EU may withdraw from this Understanding by providing written notice to the other Party.

It should be noted that the Understanding includes clarifications on the meaning of High Quality Beef. The indication 'High Quality Beef' may be added to the information on the label.

Dispute settlements: provisions are set out which aim to resolve any dispute relating to the implementation of the Understanding.

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

EU/USA Revised Memorandum of Understanding: importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the USA to certain products of the EU

The Committee on International Trade adopted the report by Vital MOREIRA (S&D, PT) on the draft Council decision on the conclusion of a revised Memorandum of Understanding with the United States of America Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union.

The committee recommended that the European Parliament give its consent to the conclusion of the revised Memorandum of Understanding which would ensure legal certainty for economic operators and give additional time to reach a final negotiated solution. Extension of the Memorandum would allow to further strengthen good faith leading to increased economic integration across the Atlantic, promoting confidence during the on-going negotiations on the [Transatlantic Trade and Investment Partnership \(TTIP\)](#).

EU/USA Revised Memorandum of Understanding: importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the USA to certain products of the EU

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of a revised Memorandum of Understanding with the United States of America Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union.

Parliament gave its consent to the conclusion of the revised Memorandum of Understanding.

EU/USA Revised Memorandum of Understanding: importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the USA to certain products of the EU

PURPOSE: to conclude the revised Memorandum of Understanding with the United States regarding the Importation of beef from animals not treated with growth-promoting hormones.

NON-LEGISLATIVE ACT : Council Decision 2014/44/EU on the conclusion of the revised Memorandum of Understanding with the United States of America regarding the importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the United States to certain products of the European Union.

BACKGROUND: in accordance with Council Decision 2013/523/EU, the revised Memorandum of Understanding with the United States of America regarding the importation of beef from animals not treated with certain growth-promoting hormones and increased duties applied by the United States to certain products of the European Union, was signed on 21 October 2013, subject to its conclusion at a later date.

The revised Memorandum of Understanding (MoU) should now be approved.

CONTENT: with this Decision, the council, with the approval of Parliament, approves the revised Memorandum of Understanding on behalf of the EU.

Objectives and scope: the MoU sets out different steps concerning the importation of beef not treated with growth-promoting hormones into the EU, as well the imposition of trade sanctions by the United States against EU products as part of the WTO dispute on Measures Concerning Meat and Meat Products (Hormones). These steps are grouped in three phases, opening with a tariff quota for "High Quality Beef", and the US, in exchange, reducing the level of sanctions applied to EU products.

The three steps are described in the MoU.

Quota management and monitoring: provision is made for administering the tariff rate quota in accordance with the General Agreement on Tariffs and Trade (GATT) 1994.

The United States and the EU:

- should monitor and review the operation of the MoU;
- upon the request of either Party, conduct additional bilateral consultations regarding the operation of the MoU, including issues of quota management.

Either the United States or the EU may withdraw from the MoU by providing written notice to the other Party.

The MoU defines what is meant by High Quality Beef. The indication 'High Quality Beef' may be added to the information on the label.

Disputes: provisions are made concerning the settlement of disputes as regards the implementation of the MoU.

ENTRY INTO FORCE: 28.01.2014.