





Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2014/0166(COD) Procedure completed
Common rules for imports. Codification	
Subject 6.20.02 Export/import control, trade defence, trade barriers 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Legal Affairs	 DUDA Andrzej	10/10/2014
		Shadow rapporteur  GERINGER DE OEDENBERG Lidia Joanna	
	Former committee responsible		
	 Legal Affairs		
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	3371	02/03/2015
European Commission	Commission DG Legal Service	Commissioner JUNCKER Jean-Claude	

Key events			
28/05/2014	Legislative proposal published	COM(2014)0321	Summary
15/09/2014	Committee referral announced in Parliament, 1st reading		
11/11/2014	Vote in committee, 1st reading		
19/11/2014	Committee report tabled for plenary, 1st reading	A8-0040/2014	Summary
11/02/2015	Results of vote in Parliament		
11/02/2015	Decision by Parliament, 1st reading	T8-0018/2015	Summary

02/03/2015	Act adopted by Council after Parliament's 1st reading		
11/03/2015	Final act signed		
11/03/2015	End of procedure in Parliament		
27/03/2015	Final act published in Official Journal		

Technical information

Procedure reference	2014/0166(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Codification
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 207-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/00462

Documentation gateway

Legislative proposal	COM(2014)0321	28/05/2014	EC	Summary
Committee draft report	PE539.696	10/10/2014	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0040/2014	19/11/2014	EP	Summary
Economic and Social Committee: opinion, report	CES6119/2014	10/12/2014	ESC	
Text adopted by Parliament, 1st reading/single reading	T8-0018/2015	11/02/2015	EP	Summary
Draft final act	00101/2014/LEX	11/03/2015	CSL	
Follow-up document	COM(2015)0385	03/08/2015	EC	Summary
Follow-up document	SWD(2015)0149	03/08/2015	EC	
Follow-up document	COM(2017)0598	17/10/2017	EC	Summary
Follow-up document	SWD(2017)0342	17/10/2017	EC	
Follow-up document	COM(2019)0158 OJ L 771 20.03.2019, p. 0001	27/03/2019	EC	Summary
Follow-up document	SWD(2019)0141	27/03/2019	EC	Summary
Follow-up document	COM(2020)0164	30/04/2020	EC	
Follow-up document	SWD(2020)0071	30/04/2020	EC	
Follow-up document	COM(2021)0496	30/08/2021	EC	
Follow-up document	SWD(2021)0234	30/08/2021	EC	
Follow-up document	COM(2022)0470	19/09/2022	EC	
Follow-up document	SWD(2022)0294	19/09/2022	EC	

Follow-up document	COM(2023)0506	06/09/2023	EC
Follow-up document	SWD(2023)0287	06/09/2023	EC

Additional information	
European Commission	EUR-Lex

Final act
Regulation 2015/478 OJ L 083 27.03.2015, p. 0016 Summary

Common rules for imports. Codification

PURPOSE: codification of Council Regulation (EC) No 260/2009 of 26 February 2009 on the common rules for imports.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Council Regulation (EC) No 260/2009 has been substantially amended several times. It is recalled that in 1987, the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement. The Edinburgh European Council in December 1992 confirmed the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

The European Parliament, the Council and the Commission agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

CONTENT: in the interests of clarity and transparency of Union law, the purpose of this proposal is to undertake a codification of Council Regulation (EC) No 260/2009 on the common rules for imports.

The new Regulation will supersede the various acts incorporated in it; it fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

This Regulation applies to imports of products originating in third countries, except for: (a) textile products subject to specific import rules under Regulation (EC) No 517/94; (b) the products originating in certain third countries listed in Council Regulation (EC) No 625/2009.

The main elements of the proposed Regulation concern:

Union information and consultation procedure: the Commission should be informed by the Member States of any danger created by trends in imports which might call for Union surveillance or the application of safeguard measures.

In such instances the Commission should examine the terms and conditions under which imports occur, the trend in imports, the various aspects of the economic and trade situations and, where appropriate, the measures to be applied.

Union investigation procedure: an investigation should precede the application of any safeguard measure, subject to the reservation that the Commission be allowed in urgent cases to apply provisional measures. The proposal lays down detailed provisions on the opening of investigations, the checks and inspections required, access by exporter countries and interested parties to the information gathered, hearings for the parties involved and the opportunities for those parties to submit their views. It also establishes time limits for the initiation of investigations and for determinations as to whether or not measures are appropriate, in order to increase legal certainty for the economic operators concerned.

Surveillance measures: where the trend in imports of a product originating in a third country covered by this Regulation threatens to cause injury to Union producers, and where the interests of the Union so require, import of that product may be subject, as appropriate, to retrospective Union surveillance. The decision to impose surveillance shall be taken by the Commission by means of implementing acts.

Safeguard measures: it falls on the Commission to adopt the safeguard measures required by the interests of the Union. Those interests should be considered as a whole and should in particular encompass the interests of Union producers, users and consumers.

Safeguard measures against a member of the WTO may be considered only if the product in question is imported into the Union in such greatly increased quantities and on such terms or conditions as to cause, or threaten to cause, serious injury to Union producers of like or directly competing products. These measures shall take effect immediately.

The proposal determines the maximum duration of safeguard measures and specific provisions regarding extension, progressive liberalisation and reviews of such measures.

The implementation of this Regulation requires uniform conditions for adopting provisional and definitive safeguard measures, and for the imposition of prior surveillance measures. Those measures should be adopted by the Commission in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Common rules for imports. Codification

The Committee on Legal Affairs adopted the report by Andrzej DUDA (ECR, PL) on the proposal for a regulation of the European Parliament and of the Council on common rules for imports (codified text).

It recommended the European Parliament to adopt its position at first reading, taking over the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

The Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, stated that the proposal in question contains a straightforward codification of the existing texts without any change in their substance.

Common rules for imports. Codification

The European Parliament adopted by 639 votes to 30, with 35 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on common rules for imports (codified text).

Parliament adopted its position at first reading following the ordinary legislative procedure taking over the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

According to the Consultative Working Party, the proposal in question contains a straightforward codification of the existing texts without any change in their substance.

The proposed regulation establishes the principle of freedom to import products from third countries, subject to possible safeguard measures.

It shall apply to imports of products originating in third countries, except for: (a) textile products subject to specific import rules under Regulation (EC) No 517/94; (b) products originating in certain third countries listed in Council Regulation (EC) No 625/2009.

The proposal establishes provisions regarding: (i) the Commission's information and consultation procedure regarding the need for surveillance or safeguard measures; (ii) the Union investigation procedure prior to the application of any safeguard measure, (iii) Union surveillance measures; (iv) safeguard measures.

Common rules for imports. Codification

PURPOSE: to codify Council Regulation (EC) n° 260/2009 on common rules for imports.

LEGISLATIVE ACT: Regulation (EU) 2015/478 of the European Parliament and of the Council on common rules for imports (codification).

CONTENT: the Regulation codifies and repeals Council Regulation (EC) n° 260/2009 which has been substantially amended on several occasions.

The new Regulation establishes the principle of freedom to import from third countries, with safeguard measures in place.

It applies to imports of products originating in third countries, except for: (i) textile products subject to specific import rules under Regulation (EC) No 517/94; (ii) products originating in certain third countries listed in Council Regulation (EC) No 625/2009.

The main points of the Regulation are as follows:

Information and consultation procedure: Member States shall inform the Commission if trends in imports appear to call for surveillance or safeguard measures. The Commission shall examine the terms and conditions under which imports occur, the trend in imports, the various aspects of the economic and trade situations and, where appropriate, the measures to be applied.

Union investigation procedure: an investigation should precede the application of any safeguard measure, subject to the reservation that the Commission be allowed in urgent cases to apply provisional measures. The investigation shall seek to determine whether imports of the product in question are causing or threatening to cause serious injury, meaning a significant overall impairment in the position of Union producers. The Regulation lays down detailed provisions on the opening of investigations, the checks and inspections required, access by exporter countries and interested parties to the information gathered, hearings for the parties involved and the opportunities for those parties to submit their views. It also establishes time limits for the initiation of investigations and for determinations as to whether or not measures are appropriate, with a view to ensuring that such determinations are made quickly.

Surveillance measures: where the trend in imports of a product originating in a third country covered by the Regulation threatens to cause injury to Union producers, and where the interests of the Union so require, import of that product may be subject, as appropriate, to retrospective Union surveillance. The decision to impose surveillance shall be taken by the Commission by means of implementing acts.

Products under prior Union surveillance may be put into free circulation only on production of a surveillance document made out on a form corresponding to the model in Annex I.

Safeguard measures: the Commission shall adopt the safeguard measures required by the interests of the Union, on its own initiative or at the request of a Member State. Safeguard measures against a member of the WTO may be considered only if the product in question is imported into the Union in such greatly increased quantities and on such terms or conditions as to cause, or threaten to cause, serious injury to Union producers of like or directly competing products.

In cases in which safeguard measures take the form of a quota the level of the latter should be set in principle no lower than the average level of imports over a representative period of at least 3 years.

Surveillance or safeguard measures confined to one or more regions of the Union should be authorised only exceptionally and where no alternative exists.

The Regulation determines the maximum duration of safeguard measures and specific provisions regarding extension, progressive liberalisation and reviews of such measures.

In order to ensure uniform conditions for the implementation of this Regulation, implementing powers are conferred on the Commission.

ENTRY INTO FORCE: 16.4.2015.

Common rules for imports. Codification

The Commission presents its 33rd Annual Report on the EU's anti-dumping, anti-subsidy and safeguard activities in 2014. These activities are governed by: (i) Council Regulation (EC) No 1225/2009 (basic anti-dumping Regulation), (ii) Council Regulation (EC) No 597/2009 (basic anti-subsidy Regulation) and (iii) Regulation (EU) 2015/478 of the European Parliament and of the Council on common rules for imports.

The main facts regarding trade defence in the EU during 2014 are the following :

Investigations and measures: in relation to 2013, 2014 was characterised by an increase in the opening of new investigations and a reduction in the number of expiry reviews.

It should be recalled that the anti-dumping and anti-subsidy Regulations provide for the expiry of measures after five years, unless an expiry review demonstrates that they should be maintained in their original form.

As in previous years this reflects the type of complaints which were lodged and which were supported by prima facie evidence.

At the end of 2014, the EU had 81 antidumping measures and 13 anti-subsidy measures in force. In 2014, 0.29% of total imports into the EU were affected by such measures.

Most of the cases concluded in 2014 had been initiated in 2013 while many of those initiated in 2014 will come up for decision in 2015.

Continuing the trend of previous years, no safeguard action was taken by the EU.

The follow-up activities concerning measures in force were centred on four main areas: (1) pre-empt fraud; (2) monitor trade flows and market developments; (3) improve the effectiveness with the appropriate instruments and (4) react to irregular practices.

Modernisation of trade defence instruments (TDI): work continued on the [proposal for the modernisation of TDI](#). The Parliament voted a legislative resolution in April 2014 and thus closed its first reading. At that time, the Commission also took note of draft guidelines on four subjects with a view to their adoption once the legislative process was more advanced.

The aim of the modernisation exercise is to render the instruments more efficient and effective. By finding practical solutions to real problems encountered by stakeholders, the TDIs are intended to become more accessible and measures better-targeted responses to certain unfair trading practices exercised by the EUs trading partners. Other important elements of the project include increased transparency and particular attention to SMEs.

Information and communication activities: the Commission TDI services also continued their information activities targeted at third country officials, the Union industry and importers:

- a Helpdesk for SMEs was set in December 2004 in order to help SMEs deal with the complexity involved in TDI investigations. In 2014, the Helpdesk continued to deal with requests for information;
- there were a number of bilateral contacts dedicated to discussing various trade defence topics with a number of third countries including China, Korea, Japan, Australia, Vietnam and Morocco;
- there was a seminar in February 2014 which brought together the various stakeholders to discuss aspects of the EU's trade defence policy and practice.

Judicial review: in 2014, the General Court and the Court of Justice rendered 28 judgments in total relating to the areas of anti-dumping or anti-subsidy. 5 of the judgments of the Court of Justice concerned appeals against the General Court decisions and 4 were preliminary rulings.