

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive 2009/0080(COD)	Procedure lapsed or withdrawn
Marketing of seed potatoes	
Subject 3.10.03 Marketing and trade of agricultural products and livestock	

Key players	
European Parliament	
Council of the European Union European Commission	Commission DG Legal Service
	Commissioner BARROSO José Manuel

Key events			
24/06/2009	Legislative proposal published	COM(2009)0299	Summary
16/07/2009	Committee referral announced in Parliament, 1st reading		
02/12/2009	Additional information		Summary
21/05/2014	Proposal withdrawn by Commission		Summary

Technical information	
Procedure reference	2009/0080(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Codification
Legislative instrument	Directive
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	JURI/7/00003

Documentation gateway					
Legislative proposal		COM(2009)0299	25/06/2009	EC	Summary

Additional information	
National parliaments	IPEX

Marketing of seed potatoes

PURPOSE: to codify legislation on the marketing of seed potatoes.

PROPOSED ACT: Council Directive.

CONTENT: the purpose of this proposal is to undertake a codification of Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes. The new Directive will supersede the various acts incorporated in it. This proposal fully preserves the content of the acts being codified and hence does no more than bringing them together with only such formal amendments as are required by the codification exercise itself.

Marketing of seed potatoes

The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Directive [2009/??/EC](#) on the marketing of seed potatoes, the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis - Treaty/EC/Art.37 ? became Art. 43 (2) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an ordinary legislative procedure (COD).

Marketing of seed potatoes

As announced in Official Journal C 153 of 21 May 2014, the Commission decided to withdraw this proposal, which had become obsolete.