# Aquaculture: use of alien and locally absent species

2009/0153(COD) - 19/07/2010 - Legislative proposal

The Commission presents an amended proposal on amending Regulation (EC) No 708/2007 concerning use of alien and locally absent species in aquaculture.

After the entry into force of the Lisbon Treaty on 1 December 2009, the proposal has moved to the ordinary legislative procedure. The **legal base** is now Article 43(2) of the Treaty on the Functioning of the European Union.

It is also appropriate to align the "**comitology**" provisions in issue to the novel provisions of Article 290 of the Treaty on the Functioning of the European Union pertaining to delegated powers and of Article 291 of the Treaty on the Functioning of the European Union pertaining to implementing powers. This will make Council Regulation No 708/2007 fully consistent with the new decision-making set-up under the new Treaty. It is thus necessary to amend the Commission's initial proposal accordingly.

Lastly, it is proposed to amend the Commission's initial proposal in order to incorporate certain specifications of **definitions** (i.e. "closed aquaculture facility"), **clarifications of certain provisions** (i.e. situation of facilities at a safe distance from open waters) and a number of drafting improvements.

The amended proposal has no implications for the EU budget.