

Trade in processed agricultural products: obsolete act

2010/0367(COD) - 16/12/2010 - Legislative proposal

PURPOSE: to repeal two Council acts which have become obsolete in the field of trade in agricultural products (Regulations (EEC) No 429/73 and (EC) No 215/2000).

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

LEGAL BASE: Article 207(2) of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: no impact assessment was carried out.

CONTENT: a number of acts which were adopted over the last decades have exhausted all their effects, but remain technically into force. They have become obsolete because of their temporary character or because their content has been taken up by successive acts. Several measures linked to the accession of new Member States have become obsolete following their

accession. The European Parliament, the Council and the Commission agreed in their interinstitutional agreement on better law making that Union law should be updated and condensed

by repealing acts which are no longer applied. Acts which have no continued relevance should be removed from the 'Union acquis', in order to improve transparency and certainty of Union law.

The Commission identified two Council acts in the area of trade in goods resulting from the processing of agricultural products, which are based upon Article 207 of the Treaty on the Functioning of the European Union (formerly art 133 of the Treaty establishing the European Community and before art 113 of the Treaty establishing the European Community), which have exhausted all practical effects, but are formally still in force. It is not within the Commission's powers to declare acts obsolete which were adopted by the Council. In the interest of legal certainty, the Commission suggests that the acts listed in this proposal shall be repealed by the Council.

This proposal concerns:

- **the repeal of Council Regulation (EEC) No 429/73** that determines the reduced fixed component of the import duties for processed agricultural products originating in Turkey. Its provisions became obsolete because Decision No 1/95 of the EC Turkey Association Council of 22 December 1995 on implementing the final phase of the Custom Union has eliminated Customs duties for goods originating in Turkey;
- **the repeal of Council Regulation (EEC) No 215/2000** that renewed preferential tariff quotas only for the year 2000 and that has exhausted all its effects.

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