

Trade arrangements applicable to certain goods resulting from the processing of agricultural products

2013/0063(COD) - 27/02/2013 - Legislative proposal

PURPOSE: to lay down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (alignment to the Lisbon Treaty).

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 1216/2009](#) laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and [Council Regulation \(EC\) No 614/2009](#) on the common system of trade for ovalbumin and lactalbumin¹⁵ need to be adapted as a consequence of the entry into force of the Lisbon Treaty, in particular as regards its introduction of a distinction between powers for the Commission to adopt **delegated acts** and powers for it to adopt **implementing acts**. Further adaptations are needed to improve the clarity and transparency of the existing texts.

IMPACT ASSESSMENT: there is no need for an impact assessment since the proposal to align Regulation No 1216/2009 to the Lisbon Treaty is an inter-institutional matter of relevance to all Council Regulations and the alignment to the new Single CMO Regulation is a consequence of the new CAP after 2013 and the new Multiannual Financial Framework (MFF) 2014-2020.

LEGAL BASIS: Article 43(2) and Article 207(2) of the Treaty on the Functioning of the European Union.

CONTENT: the purpose of the proposed Regulation (EU) of the Council and of the Parliament **replacing the trade arrangements for Processed Agricultural Products/non-Annex I goods**, currently laid down in Council Regulation (EC) No 1216/2009 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products is:

- **to identify, in Regulation (EC) No 1216/2009, the delegated and implementing powers of the Commission** and establish the corresponding procedure for the adoption of these acts and this in parallel with the [Lisbon alignment of the single Common Market Organisation](#);
- **to adapt** Regulation (EC) No 1216/2009 to the [new Single CMO Regulation](#) in the context of the CAP after 2013 and the new MFF 2014-2020;
- **to integrate the common system of trade for ovalbumin and lactalbumin** (Regulation (EC) No 614/2009) in the trade regime for processed agricultural products (Regulation (EC) No 1216/2009). Ovalbumin and lactalbumin are processed agricultural products which are not included in Annex I to the Treaty. In view of the fact that to a large extent, eggs can be substituted by ovalbumin and, to a certain extent, by lactalbumin, the trade arrangements for ovalbumin and lactalbumin should correspond to those established for eggs.

BUDGETARY IMPLICATION: this measure does not involve any additional Union expenditure.

DELEGATED ACTS: this proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.