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

2013/0063(COD) - 16/04/2014 - Final act

PURPOSE: to lay down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (adaptation to the Lisbon Treaty – delegated and implementing powers of the Commission).

LEGISLATIVE ACT: Regulation (EU) No 510/2014 of the European Parliament and of the Council laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009.

CONTENT: the Regulation replaces the trade arrangements applicable to processed agricultural products /goods not listed in Annex 1 of the Treaty on the Functioning of the European Union (TFEU) determined in Council Regulation (EC) No 1216/2009. It also includes some provisions from Regulation (EC) No 614 /2009 on the common system of trade for ovalbumin and lactalbumin.

The Regulation implements those provisions **in accordance with the Lisbon Treaty** and in particuar, the obligation to distinguish between delegated and implenting powers of the Commission, introduced by articles 290 and 291 of the TFEU.

The Commission should also have the power to adopt **delegated acts** in order to:

- to take into account the evolution of trade and market developments, the needs of the markets for ovalbumin and lactalbumin or the market for eggs and the results of the monitoring of the imports of ovalbumin and lactalbumin;

- to implement the international agreements providing for the reduction or phasing out of import duties on processed agricultural products on the basis of specific agricultural products used or considered to have been used in the manufacturing of the processed agricultural products;

- to ensure equitable market access for operators and equal treatment of operators, to take account of the supply requirements of the Union market and to preserve the equilibrium of that market;

- to ensure that it is possible for exported products to benefit from special treatment on importation into a third country under certain conditions, pursuant to international agreements concluded by the Union in accordance with the TFEU;

- to ensure the prudent and efficient management of the inward processing arrangements, taking account of the situation on the Union market for the commodities concerned and of the needs and practices of the processing industries;

- to take account of the specific manufacturing processes and trading requirements of non-Annex I goods incorporating certain agricultural products;

- to monitor the expenditure on export refunds and the implementation of the refund certificate system;

- providing for equivalent measures to be taken with regard to exports of those non-Annex I goods, while complying with any obligations resulting from international agreements;

- to ensure the integrity of information systems and the authenticity and legibility of documents and associated data transmitted;

- to implement the international agreements concluded by the Union and to ensure clarity and coherence with amendments to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff;

- to avoid unnecessary administrative burdens for operators and national authorities;

- to ensure the application of horizontal rules adopted on the basis of Regulation (EU) No 1306 /2013 to import licences and tariff quotas for processed agricultural products and to export refunds and refund certificates for non-Annex I goods.

The power to adopt the delegated acts shall be conferred on the Commission for a period of **seven years (with tacit extension)from 9 June 2014**. The European Parliament or the Council may object to a delegated act within a period of **two months** from the date of notification (this period can be extended for two months). If the European Parliament or the Council make objections, the delegated act will not enter into force.

The Regulation also defines the Commission's **implementing powers** in order to ensure uniform conditions for the implementation of this Regulation as regards imports, exports, the inward processing arrangements and certain general provisions.

Other amendments were introduced to improve the clarity and transparency of the existing texts.

ENTRY INTO FORCE: 09.06.2014.