Common agricultural policy (CAP): repealing obsolete acts

2015/0090(COD) - 22/04/2015 - Legislative proposal

PURPOSE: to repeal Council Directive 76/621/EEC relating to the fixing of the maximum level of erucic acid in oils and fats and Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry.

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: the European Parliament, the Council and the Commission agreed in their inter-institutional agreement on better law making that Community law should be updated and condensed by repealing acts which are no longer applied. Improve transparency and certainty of Union law is the main aim of this Agreement.

The Commission has carried out several exercises to remove obsolete legislation from the acquis, partly through the traditional repeal procedure, partly by declaring the relevant Commission acts obsolete.

The Commission identified two Council acts related to the Common Agricultural Policy, which are based upon Article 42 and 43 of the Treaty (former Articles 36 and 37), which have exhausted all practical effects, but are formally still in force.

CONTENT: for reasons of legal security and clarity, the Commission proposes to repeal two legal acts relating to the common agricultural policy which have become obsolete, even though formally they are still in force:

- **Council Directive 76/621/EEC**. The content of that Directive has been taken up by Commission Regulation (EC) No 1881/20063;
- **Council Regulation (EC) No 320/2006**. The temporary scheme established by that Regulation was applicable only until the marketing year 2009/2010.