Basic information

2010/0097(CNS) CNS - Consultation procedure Decision	Procedure completed
Fishery products, live bivalve molluscs and by-products thereof: rules for imports from Greenland **Subject** 3.10.10 Foodstuffs, foodstuffs legislation 3.15.02 Aquaculture 3.15.06 Fishing industry and statistics, fishery products 4.60.04.04 Food safety 6.20.03 Bilateral economic and trade agreements and relations **Geographical area** Greenland	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
PECH Fisheries	FRAGA ESTÉVEZ Carmen (PPE)	18/05/2010

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
JURI Legal Affairs	LICHTENBERGER Eva (Verts/ALE)	18/10/2010

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3104	2011-06-28

European Commission

Commission DG	Commissioner
Health and Food Safety	DALLI John

Key events

Date	Event	Reference	Summary
23/04/2010	Legislative proposal published	COM(2010)0176	Summary
15/06/2010	Committee referral announced in Parliament		
15/03/2011	Vote in committee		Summary
17/03/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0057/2011	
05/04/2011	Debate in Parliament		
06/04/2011	Decision by Parliament	T7-0135/2011	Summary
06/04/2011	Results of vote in Parliament		
28/06/2011	Act adopted by Council after consultation of Parliament		
28/06/2011	End of procedure in Parliament		
12/07/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0097(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 203
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PECH/7/02791

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Specific opinion	JURI	PE452.557	29/10/2010	
Committee draft report		PE443.062	17/12/2010	
Committee report tabled for plenary, 1st reading/single reading		A7-0057/2011	17/03/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0135/2011	06/04/2011	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2010)0176	23/04/2010	Summary

Commission response to text adopted in plenary	SP(2011)4619	25/05/2011	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2010)0176	21/06/2010	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2011/0408
OJ L 182 12.07.2011, p. 0024 Summary

Fishery products, live bivalve molluscs and by-products thereof: rules for imports from Greenland

2010/0097(CNS) - 23/04/2010 - Legislative proposal

PURPOSE: to lay down rules regarding imports into the EU from Greenland of fishery products, live bivalve molluscs, echinoderms, tunicates, marine gastropods and by-products thereof.

PROPOSED ACT: Council Decision.

LEGAL BASE: Article 203 of the Treaty on the Functioning of the European Union.

IMPACT ASSESSMENT: no impact assessment was carried out.

BACKGROUND: Greenland and the EU intend to enter into a sanitary arrangement on fish, fishery products, bivalve molluscs, tunicates and echinoderms (live and not alive) for human consumption as well as by-products derived from these sources, f.x. fish meal or fish oil. The objective of such an arrangement would be that Greenland can trade these commodities with the Union on the basis of internal market rules, provided that Greenland transposes EU sanitary and, where appropriate, animal health rules on fishery products, live bivalve molluscs and by-products derived from these sources.

The legal relationship between the Union and Greenland rests on two pillars:

- as Greenland is one of the overseas countries and territories (OCT), the relationship is primarily governed by rules which mainly provide for EU support to OCTs in order to promote their economic and social development and to establish close economic relations between them and the EU as a whole;
- the rules also contain provisions on trade, in particular duty free access to the EU of products originating in the OCTs. Otherwise, OCTs must - as they are not part of the single market - comply with the obligations imposed on third countries, inter alia in respect of health standards.

The Danish Veterinary and Food Administration (DVFA), through its Regional Veterinary and Food Control Authority in Greenland, the ‘Fodevareregion Nord’, is acting as the competent authority in Greenland in this field, and is responsible for the effective implementation of the relevant EU sanitary and animal health legislation for the products concerned. The DVFA has provided official assurances that Greenland does comply with the rules of the relevant EU provisions, including import controls. The proposal is accompanied by a political statement expressed through a joint declaration by the EU, and Greenland and Denmark to strengthen further cooperation between the EU and Greenland, based on broadly shared interests, to the mutual benefit of trade and to endow their mutual relations with a long term perspective.

CONTENT: this proposal sets out the **general rules** concerning trade between the EU and Greenland in fishery products, live bivalve molluscs, echinoderms, tunicates, marine gastropods and by-products thereof. Member States shall authorise imports into the EU of the products coming from Greenland, in accordance with Union legislation on trade within the Union. The importation of the products into the Union shall be subject to the following conditions:

- the effective transposition and implementation in Greenland of the applicable rules laid down in Union legislation concerning animal health, food safety and the common organisation of the market in fishery products, relating to the products;
- the drawing up and keeping up to date by the competent authority in Denmark and Greenland of a list of feed and food business operators which have been registered, in accordance with Article 31 of Regulation (EC) No 882/2004;
- the conformity of consignments of products dispatched to the EU from Greenland with the applicable rules laid in Union legislation concerning animal health, food safety and the common organisation of the market in fishery products;
- the correct application of the rules laid down in Union legislation concerning animal health and food safety and the common organisation of the market in fishery products, to introduction of the products into Greenland.

Monitoring plans for aquaculture animals: Denmark and Greenland shall submit for approval by the Commission monitoring plans for the detection of the presence of residues and substances in aquaculture animals in Greenland, in accordance with Directive 96/23/EC.

Checks on products imported into Greenland from third countries: veterinary checks shall be carried out on consignments of the products introduced into Greenland from third countries in accordance with the rules laid down in Directive 97/78/EC. To facilitate those veterinary checks, the Commission will provide to the competent authorities of Denmark and Greenland references of the products to the Combined Nomenclature Codes listed in Annex I to Commission Decision 2007/275/EC. 2. Proposals for border inspection posts in Greenland shall be submitted to the Commission for approval in accordance with Article 6(2) of Directive 97/78/EC. The list of border inspection posts approved for Greenland shall be included in the list of border inspection posts in the Member States, approved in accordance with Directives 91/496/EEC and 97/78/EC.

Information system: data on movements and trade in the products in Greenland shall be transmitted in the Danish language via the integrated computerised veterinary system (TRACES) in accordance with Decision 2004/292/EC. The notification of aquatic diseases concerning the products in Greenland shall be transmitted via the animal disease notification system (ADNS), in accordance with Directive 82/894/EEC and Decision 2005/176 /EC. The notification of direct or indirect risks to human health deriving from the products in Greenland shall be transmitted via the rapid alert system for feed and food (RASFF) established by Regulation (EC) No 178/2002.

Identification mark: consignments of the products dispatched to the EU from Greenland shall be marked with the identification mark for Greenland, 'GL', in accordance with the rules set out in Regulation (EC) No 853/2004.

Confirmation of compliance with the conditions laid down in the Decision: Denmark and Greenland shall provide written confirmation that the necessary measures for the application of the Decision have been taken.

FINANCIAL IMPLICATIONS: the proposal has no implication for the Community budget.

Fishery products, live bivalve molluscs and by-products thereof: rules for imports from Greenland

2010/0097(CNS) - 06/04/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 652 votes to 19, with 2 abstentions, a legislative resolution on the proposal for a Council decision laying down rules for imports into the European Union from Greenland of fishery products, live bivalve molluscs, echinoderms, tunicates, marine gastropods and by-products thereof.

It adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary amend the Commission proposal as follows:

- given that the proposed act lays down measures of general application that are intended to be binding in their entirety and directly applicable in all Member States, the act more suitably takes the form of a **regulation than of a mere decision**;

- following the opinion that has been requested from the Committee on Legal Affairs pursuant to Rule 37 of the EP Rules of Procedure, Members consider the appropriate legal basis to be **Articles 43(2) and 204 TFEU and the Sole Article of Protocol No. 34**.

Fishery products, live bivalve molluscs and by-products thereof: rules for imports from Greenland

2010/0097(CNS) - 28/06/2011 - Final act

PURPOSE: to lay down rules regarding imports into the EU from Greenland of fishery products, live bivalve molluscs, echinoderms, tunicates, marine gastropods and by-products thereof.

LEGISLATIVE ACT: Council Decision 2011/408/EU laying down simplified rules and procedures on sanitary controls of fishery products, live bivalve molluscs, echinoderms, tunicates, marine gastropods, by-products thereof and products derived from these by-products coming from Greenland.

CONTENT: the Council adopted a decision laying down **simplified rules and procedures on sanitary controls** of fishery products, live bivalve molluscs, echinoderms, tunicates, marine gastropods, by- products thereof and **products derived from these by-products coming from Greenland** or introduced into Greenland from third countries and thereafter imported from Greenland into the Union.

With a view of an arrangement between Greenland and the EU on sanitary controls on several fishery and seafood products which would facilitate trade in these commodities from Greenland, this country has to transpose EU sanitary and, where appropriate, animal health rules on these products

As Greenland is one of the overseas countries and territories (OCT) of the EU, the strengthening of the relationship and the cooperation between this country and the EU implied by this arrangement involves the EU, on the one hand, and the Government of Greenland and the Government of Denmark on the other.

The Decision stipulates that Member States shall not apply the veterinary checks applicable on products covered by this Decision. The products coming from Greenland shall be placed on the internal market under the sanitary rules applicable within the Union, provided that Denmark and Greenland ensure, in particular, the full respect of the following conditions:

(a) the effective transposition and implementation in Greenland of the applicable rules laid down in legal acts of the Union concerning animal health and food safety, relating to the products;

(b) the drawing-up and keeping up to date by the competent authorities in Denmark and Greenland of a list of feed and food business operators which have been registered in accordance with Article 31 of Regulation (EC) No 882/2004;

(c) the conformity of consignments of products dispatched to the Union from Greenland with the applicable rules laid down in legal acts of the Union concerning animal health and food safety.

The Decision also lays down rules concerning:

- monitoring plans for aquaculture animals;
- checks on products introduced into Greenland from third countries;
- general rules concerning sanitary controls of the products between the Union and Greenland;
- information system of data on movements of, and trade in the products to and from Greenland;
- identification mark: cconsignments of the products dispatched to the Union from Greenland shall be marked with the identification mark for Greenland, ‘GL’.

ENTRY INTO FORCE: 01.08.2011. It shall apply from the date of listing in Commission Decision 2009/821/EC of the first border inspection post in Greenland. Denmark and Greenland shall provide written confirmation to the Commission that the necessary measures for the application of this Decision have been taken.