Basic information

2011/0453(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Imports of olive oil and other agricultural products from Turkey: alignment of Regulations with the TFEU (Commission delegated and implementing powers) **Subject** 3.10.03 Marketing and trade of agricultural products and livestock 3.10.07 Animal and vegetable fats, oils 6.20.03 Bilateral economic and trade agreements and relations 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin **Geographical area** Türkiye	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	MOREIRA Vital (S&D)	25/01/2012
	Shadow rapporteur DESS Albert (PPE) KAZAK Metin (ALDE) MURPHY Paul (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3293	2014-02-17

European Commission

Commission DG	Commissioner
Agriculture and Rural Development	CIOLOŞ Dacian

Key events

Date	Event	Reference	Summary
21/12/2011	Legislative proposal published	COM(2011)0918	Summary
17/01/2012	Committee referral announced in Parliament, 1st reading		
21/06/2012	Vote in committee, 1st reading		
25/06/2012	Committee report tabled for plenary, 1st reading	A7-0209/2012	Summary
12/09/2012	Decision by Parliament, 1st reading	T7-0329/2012	Summary
12/09/2012	Results of vote in Parliament		
14/01/2014	Decision by Parliament, 1st reading	T7-0007/2014	Summary
14/01/2014	Results of vote in Parliament		
17/02/2014	Act adopted by Council after Parliament's 1st reading		
26/02/2014	Final act signed		
26/02/2014	End of procedure in Parliament		
20/03/2014	Final act published in Official Journal		

Technical information

Procedure reference	2011/0453(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 207
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/08396

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE489.351	07/05/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0209/2012	25/06/2012	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T7-0329/2012	12/09/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0007/2014	14/01/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00112/2013/LEX	26/02/2014	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2011)0918	21/12/2011	Summary
Commission response to text adopted in plenary	SP(2014)167	19/02/2014	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2011)0918	24/05/2012	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act

Regulation 2014/0255
OJ L 084 20.03.2014, p. 0057 Summary

Imports of olive oil and other agricultural products from Turkey: alignment of Regulations with the TFEU (Commission delegated and implementing powers)

2011/0453(COD) - 21/12/2011 - Legislative proposal

PURPOSE: alignment of Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 with the new provisions foreseen under Articles 290 and 291 of the Treaty, following the entry into force of the Lisbon Treaty.

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

BACKGROUND: Articles 290 and 291 of the Treaty on the Functioning of the European Union (TFEU) distinguish two different types of Commission acts:

- Article 290 of the TFEU allows the legislator to delegate to the Commission the power to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. Legal acts adopted by the Commission in this way are referred to in the terminology used by the Treaty as "delegated acts" (Article 290(3)).

- Under Article 291 of the TFEU, Member States adopt all measures of national law necessary to implement legally binding Union acts. Those acts confer implementing powers on the Commission where uniform conditions for implementing them are needed. Legal acts adopted by the Commission in this way are referred to in the terminology used by the Treaty as "implementing acts" (Article 291(4)).

IMPACT ASSESSMENT: there was no need for consultation of interested parties or for an impact analysis since the proposal to align Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 with the TFEU is an inter-institutional matter that will concern all Council Regulations.

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

CONTENT: the objective of the present proposal consists in aligning three Council Regulations in the field of imports of olive oil and other agricultural products from Turkey with those provisions of the TFEU. As a consequence of the entry into force of the Lisbon Treaty, the powers conferred upon the Commission under those regulations need to be aligned. It is necessary to re-classify the powers conferred upon the Commission into delegated and implementing powers and to amend the regulations above.

- In order to supplement or amend certain non-essential elements of Regulation (EC) No 2008/97, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the adoption of the resulting adjustments necessary for that Regulation where the present conditions of the special arrangements provided for in the Association Agreement are amended, in particular as regards the amounts, or where a new agreement is concluded.
- In order to ensure uniform conditions for the implementation of Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98, the relevant implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers.

BUDGETARY IMPLICATIONS: the proposal has no financial impact on budgetary expenditure and revenue.

Imports of olive oil and other agricultural products from Turkey: alignment of Regulations with the TFEU (Commission delegated and implementing powers)

2011/0453(COD) - 25/06/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade adopted the report by Vital MOREIRA (ALDE, PT) on the proposal for a regulation of the European Parliament and of the Council amending Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 in the field of imports of olive oil and other agricultural products from Turkey as regards the delegated and implementing powers to be conferred on the Commission.

The committee recommends that the European Parliament’s position in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Powers conferred on the Commission: the committee made the following amendments:

- it emphasised the need for the European Parliament to be duly involved in preparation and implementation of delegated acts;
- the delegation of power shall be conferred on the Commission for a **period of five years (rather than for an indeterminate period**, as the Commission had proposed);
- the Commission shall draw up a **report in respect of the delegation of power** not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than **three months** before the end of each period;
- the European Parliament and Council will have **four months (rather than two)** to object to a delegated act.

Written procedure in committee: the Commission shall be assisted by a Committee within the meaning of Regulation (EU) No 182/2011. Where the opinion of the committee is to be obtained by written procedure, that **procedure shall be terminated without result** when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a majority of committee members so request.

Imports of olive oil and other agricultural products from Turkey: alignment of Regulations with the TFEU (Commission delegated and implementing powers)

2011/0453(COD) - 12/09/2012 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 641 votes to 27, with 11 abstentions, amendments to the proposal for a Regulation of the European Parliament and of the Council amending Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 in the field of imports of olive oil and other agricultural products from Turkey as regards the delegated and implementing powers to be conferred on the Commission.

The matter was sent back to the committee responsible and the vote was postponed until a later session.

Powers conferred on the Commission: the main amendments are as follows:

- the need for the European Parliament to be **duly involved** in the preparation and implementation of delegated acts;
- the delegation of power shall be conferred on the Commission for a period of **five years** that can be tacitly renewed for an identical duration (rather than for an indeterminate period, as the Commission had proposed);
- the Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period ;
- the European Parliament and Council will have four months (rather than two) to object to a delegated act.

Implementing acts: implementing powers should be conferred on the Commission in order to ensure uniform conditions for the adoption of certain measures for the implementation of the Regulation. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Written procedure in committee (implementing powers): the Commission shall be assisted by a Committee established by the future aligned Single CMO Regulation within the meaning of Regulation (EU) No 182/2011. Parliament suggests, in line with the Trade Omnibus I and II reports, that the written procedure be terminated without result only if a qualified majority of Member States calls for this.

Imports of olive oil and other agricultural products from Turkey: alignment of Regulations with the TFEU (Commission delegated and implementing powers)

2011/0453(COD) - 14/01/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 630 votes to 37 with 17 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 in the field of imports of olive oil and other agricultural products from Turkey as regards the delegated and implementing powers to be conferred on the Commission.

The matter had been sent back for reconsideration to the committee responsible at the plenary session of 12 September 2013.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement between Parliament and Council. They amend the proposal as follows:

Powers delegated to the Commission: in order to comply with international commitments and where the Council has decided to approve the amendments of the present conditions of the special arrangements provided for in the Association Agreement or to conclude a new agreement, **the Commission shall be empowered to adopt delegated acts concerning the resulting amendments to the Regulation.**

The power to adopt delegated acts shall be conferred on the Commission for a period of **five years** from the date of entry into force of the Regulation and may be **tacitly extended.**

The period for expressing objections to proposed delegated acts shall be two months.

Application of written procedure (implementing powers): the Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

The amended text states that where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or at least a quarter of committee members so request.

Imports of olive oil and other agricultural products from Turkey: alignment of Regulations with the TFEU (Commission delegated and implementing powers)

2011/0453(COD) - 26/02/2014 - Final act

PURPOSE: to align Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 with the new rules of the Treaty on the Functioning of the European Union (TFEU) (Commission delegated and implementing powers).

LEGISLATIVE ACT: Regulation (EU) No 255/2014 of the European Parliament and of the Council of 26 February 2014 amending Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 in the field of imports of olive oil and other agricultural products from Turkey, as regards the delegated and implementing powers to be conferred on the Commission.

CONTENT: this Regulation amends Council Regulations (EC) No 2008/97, (EC) No 779/98 and (EC) No 1506/98 in the field of imports of olive oil and other agricultural products from Turkey as regards the delegated (Article 290) and implementing (Article 291) powers to be conferred on the Commission.

The Regulation **confers powers on the Commission allowing it to adopt adjustments** to that Regulation, should the special arrangements provided for in the relevant Association Agreement be amended, particularly as regards the amounts or at the conclusion of a new agreement.

The power to adopt delegated acts shall be conferred on the Commission for a period of **five years (renewable) from 9 April 2014**. The European Parliament or the Council may raise objections in regard to a delegated act within two months of notification of that act (this period may be extended by two months).

The Regulation also confers **implementing powers on the Commission** in order to ensure uniform conditions for the implementation of the three Regulations. In this context, the Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council.

ENTRY INTO FORCE: 09/04/2014.