Basic information

2012/0054(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Imports of processed poultry meat: autonomous and conventional duty rates See also 2012/0046(NLE) **Subject** 3.10.05.03 Eggs and poultry 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO) 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	MOREIRA Vital (S&D)	25/04/2012
	Shadow rapporteur ŠŤASTNÝ Peter (PPE) STURDY Robert (ECR) MURPHY Paul (GUE/NGL)	

Council of the European Union

European Commission

Commission DG	Commissioner
Agriculture and Rural Development	CIOLOŞ Dacian

Key events

Date	Event	Reference	Summary
16/03/2012	Legislative proposal published	COM(2012)0115	Summary
29/03/2012	Committee referral announced in Parliament, 1st reading		
11/10/2012	Vote in committee, 1st reading		
24/10/2012	Committee report tabled for plenary, 1st reading	A7-0351/2012	Summary
21/11/2012	Decision by Parliament, 1st reading	T7-0435/2012	Summary

21/11/2012	Results of vote in Parliament		
03/12/2012	Act adopted by Council after Parliament's 1st reading		
12/12/2012	Final act signed		
12/12/2012	End of procedure in Parliament		
20/12/2012	Final act published in Official Journal		

Technical information

Procedure reference	2012/0054(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	See also 2012/0046(NLE)
Legal basis	Treaty on the Functioning of the European Union TFEU 207-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/09165

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE494.806	04/09/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0351/2012	24/10/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0435/2012	21/11/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00061/2012/LEX	12/12/2012	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2012)0115	16/03/2012	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary

Contribution	PT_PARLIAMENT	COM(2012)0115	07/06/2012	

Additional information		
Source	**Document**	**Date**
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Regulation 2012/1218 OJ L 351 20.12.2012, p. 0036	Summary

Imports of processed poultry meat: autonomous and conventional duty rates

2012/0054(COD) - 16/03/2012 - Legislative proposal

PURPOSE: to implement the agreement on imports concluded between the European Union and Brazil and Thailand respectively in order to deal with the problem of potential substitution effects in the import of poultry.

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

BACKGROUND: negotiations under Article XXVIII of GATT 1994 concluded on poultry in 2007 covered tariff lines on poultry meat under heading 0210 as well as one processed poultry line, 1602 32 19 in the EC Schedule CXL: *cooked preparations containing more than 57% of poultry meat*. Limiting the negotiations to the processed poultry line 1602 32 19 was considered to sufficiently prevent potential substitution effects.

Subsequent import data, however, showed a dramatic import surge of processed poultry meat under tariff line 1602 32 30: *preparations containing 25% or more but less than 57% by weight of poultry meat or offal*. This indicated that exporters seemed to take advantage of a relative gap in the EU level of protection, substituting poultry preparations containing more than 57% of poultry meat with preparations containing less than 57%, under tariff line 1602 32 30. Comparable substitution effects were to be expected under other 1602 tariff lines in the future.

In order comprehensively to address these substitution effects affecting the EU poultry industry, the Commission requested from the Council the authorisation to renegotiate the concessions on poultry meat under Chapter 16 of the CN. The Commission has negotiated with the Federal Republic of Brazil and with the Kingdom of Thailand, each holding principal supplying interests and/or substantial interests in various of the tariff lines concerned. The negotiations have resulted in Agreements in the form of exchanges of letters initialled with Thailand on 22 November 2011 and with Brazil on 7 December 2011. The agreements were negotiated on the basis of the Combined Nomenclature codes in force at the time. In the newest version of Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff as laid down in Commission Regulation (EU) No 1006/2011 published in OJ L 282 of 28 October 2011, the tariff lines 1602 39 40 and 1602 39 80 have been merged into a new tariff line 1602 39 85. It is therefore appropriate to reflect this new situation in the present implementing regulation. The autonomous Customs duty rates for the tariff lines covered by the negotiations are currently set at levels below the new conventional duty rates resulting from the modification of concessions pursuant to Article XXVIII of GATT 1994. However, under Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, the autonomous customs duties apply when they are below the conventional duties.

IMPACT ASSESSMENT: no impact assessment has been undertaken.

LEGAL BASIS: Article 207(2) TFEU.

CONTENT: following the negotiations opened under Article XXVIII of the GATT 1994 in mid-2009 with Brazil and Thailand, this proposal concerns the implementation of the Agreements between the European Union and Brazil and Thailand respectively in order to deal with the problem of l substitution effects in the import of poultry. The implementation of the Agreements concern :

- an increase in the out-of-quota rates for 7 tariff lines of processed poultry meat products, and,
- opening TRQs for the same 7 tariff lines of processed poultry meat products, for Brazil, Thailand and other countries.

This proposal is closely linked to the proposal for a Council decision regarding the conclusion of agreements between the European Union and Brazil and Thailand respectively in order to deal with the problem of substitution effects in the import of poultry.

BUDGETARY IMPLICATIONS: the import volume of the quota is similar to the quantity imported prior to this agreement. There is no effect on the internal market balance that could lead to needs for market instruments. In case of import of the total quota under this draft regulation, it can be estimated that the measure could involve a reduction of own resources of an approximated net amount of EUR 1.4 million, after deduction of 25% of collection costs by Member States.

Imports of processed poultry meat: autonomous and conventional duty rates

2012/0054(COD) - 24/10/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade adopted he report by Vital MOREIRA (S&D, PT) on the proposal for a Regulation of the European Parliament and of the Council concerning the implementation of the Agreements concluded by the EU following negotiations in the framework of Article XXVIII of GATT 1994, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

The parliamentary committee recommends that the Parliament adopts its position at first reading, taking over the Commission's proposal unamended.

Imports of processed poultry meat: autonomous and conventional duty rates

2012/0054(COD) - 21/11/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 591 votes to 13, with 92 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council concerning the implementation of the Agreements concluded by the EU following negotiations in the framework of Article XXVIII of GATT 1994, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

Parliament adopted its position at first reading, taking over the Commission's proposal unamended.

Imports of processed poultry meat: autonomous and conventional duty rates

2012/0054(COD) - 12/12/2012 - Final act

PURPOSE: to implement the agreement on imports concluded between the European Union and Brazil and Thailand respectively in order to deal with the problem of potential substitution effects in the import of poultry.

LEGISLATIVE ACT: Regulation (EU) No 1218/2012 of the European Parliament and of the Council.

CONTENT: this Regulation concerns the **implementation of the Agreement in the form of an Exchange of Letters between the EU and Brazil and the EU and Thailand** relating to the modification of concessions with respect to **processed poultry meat** pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 and amending and supplementing Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

In order comprehensively to address substitution effects affecting the EU poultry industry, the Commission requested from the Council the authorisation to renegotiate the concessions on poultry meat with Brazil and Thailand. The negotiations resulted in Agreements in the form of exchanges of letters initialled with Thailand on 22 November 2011 and with Brazil on 7 December 2011.

Following these negotiations, this Regulation concerns the implementation of the Agreements between the European Union and Brazil and Thailand respectively in order to deal with the problem of substitution effects in the import of poultry. The implementation of the Agreements concern:

- an increase in the out-of-quota rates for 7 tariff lines of processed poultry meat products, and,
- **opening tariff quotas** for the same 7 tariff lines of processed poultry meat products, for Brazil, Thailand and other countries.

ENTRY INTO FORCE: 21/12/2012. The Regulation shall apply from the date of entry into force of the Agreements.