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INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in Ukraine on cereal seed-producing crops and on the equivalence of cereal seed produced in Ukraine
– Outcome of the European Parliament's first reading
(Brussels, 5 to 8 October 2020)

I. INTRODUCTION

On 20 May 2020, the Permanent Representatives Committee confirmed that should the European Parliament approve the abovementioned Commission's proposal without amendments, the Council would approve the European Parliament's position.

On 25 September 2020, the rapporteur, Veronika VRECIKOVÁ (ECR, CZ), presented a report on behalf of the Committee on Agriculture and Rural Development, aiming at taking over the Commission proposal.

In addition, the ID political group tabled 2 amendments (amendments number 1 and 2).

II. VOTE

When it voted on 6 October 2020, the Parliament rejected amendments 1 and 2, and on 7 October 2020, the Parliament adopted its first-reading position by taking over the Commission proposal. This position is contained in its legislative resolution.

The Council should therefore be in a position to approve the European Parliament's position as set out in the Annex hereto, thus bringing to a close the first reading for both Institutions.

The legislative act would then be adopted in the wording which corresponds to the European Parliament's position.

P9_TA(2020)0254

Equivalence of field inspections carried out in Ukraine on cereal seed-producing crops and on the equivalence of cereal seed produced in Ukraine *I**

European Parliament legislative resolution of 8 October 2020 on the proposal for a decision of the European Parliament and of the Council amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in Ukraine on cereal seed-producing crops and on the equivalence of cereal seed produced in Ukraine (COM(2020)0137 – C9-0100/2020 – 2020/0053(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2020)0137),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0100/2020),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - Having regard to the opinion of the European Economic and Social Committee of 18 September 2020¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A9-0164/2020),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

Position of the European Parliament adopted at first reading on 8 October 2020 with a view to the adoption of Decision (EU) 2020/... of the European Parliament and of the Council amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in Ukraine on cereal seed-producing crops and on the equivalence of cereal seed produced in Ukraine

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee²,

Acting in accordance with the ordinary legislative procedure³,

² Opinion of 18 September 2020 (not yet published in the Official Journal).

³ Position of the European Parliament of 8 October 2020 (not yet published in the Official Journal).

Whereas:

- (1) Council Decision 2003/17/EC⁴ provides that, under certain conditions, field inspections carried out on certain seed-producing crops in the third countries listed in Annex I to that Decision are to be considered equivalent to field inspections carried out in accordance with Union law and that, under certain conditions, the seed of certain species of cereal produced in those countries is to be considered equivalent to seed produced in accordance with Union law.
- (2) Ukraine has submitted a request to the Commission for the granting of equivalence to its system of field inspections of cereal seed-producing crops and to cereal seed produced and certified in Ukraine.
- (3) The Commission examined the relevant legislation of Ukraine, and, on the basis of an audit carried out in 2015 concerning the system of official controls and of certification of cereal seed in Ukraine, and its equivalence with Union requirements, published its findings in a report entitled ‘Final report of an audit carried out in Ukraine from 26 May 2015 to 04 June 2015 in order to evaluate the system of official controls and certification of cereal seed and their equivalence with European Union requirements’.

⁴ Council Decision 2003/17/EC of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries (OJ L 8, 14.1.2003, p. 10).

- (4) Following the audit, it has been concluded that field inspections of seed-producing crops, sampling, testing and official post-controls of cereal seed are carried out appropriately and satisfy the conditions set out in Annex II to Decision 2003/17/EC and the respective requirements set out in Council Directive 66/402/EEC⁵. Moreover, it has been concluded that the national authorities responsible for the implementation of seed certification in Ukraine are competent and operate appropriately.
- (5) Therefore it is appropriate to grant equivalence as regards field inspections carried out in respect of cereal seed-producing crops in Ukraine, and as regards cereal seed produced in Ukraine and officially certified by its authorities.
- (6) Decision 2003/17/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

⁵ Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ 125, 11.7.1966, p. 2309).

Article 1

Amendments to Decision 2003/17/EC

Annex I to Decision 2003/17/EC is amended as follows:

- (a) in the table, the following row is inserted between 'TR' and 'US':

'UA	Ministry of Agrarian Policy and Food of Ukraine Khreshchatyk str., 24, 01001, KYIV	66/402/EEC'
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- (b) in the footnote to the table, the following terms are inserted between 'TR — Turkey,' and 'US — United States,':

'UA – Ukraine,'.

Article 2

Entry into force

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 3

Addressees

This Decision is addressed to the Member States.

Done at ...,

For the European Parliament

The President

For the Council

The President
