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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 1379/2013, Regulation (EU) No 167/2013 and Regulation (EU) No 168/2013 of the European Parliament and of the Council as regards certain reporting requirements – Outcome of the European Parliament's first reading and Corrigendum procedure (Strasbourg, 28 February 2024 and 17 September 2024)

I. INTRODUCTION

A number of informal contacts have taken place between the Council, the European Parliament and the Commission with a view to reaching an agreement on this legislative file at first reading.

This file was expected¹ to undergo the Corrigendum procedure² in the European Parliament after adoption by the outgoing European Parliament of its position at first reading.

¹ 10819/24+ COR 1.

² Rule 251, EP Rules of Procedure.

II. VOTE

At its sitting of 28 February 2024, the European Parliament adopted its first reading position, taking over the Commission proposal (without legal linguistic revision), and a legislative resolution. It reflects what had been provisionally agreed between the Institutions.

After finalisation of the adopted text by the legal linguists, the European Parliament approved on 17 September 2024 a corrigendum to the position adopted at first reading.

With this corrigendum, the Council should be able to approve the position of the European Parliament as set out in the Annex hereto, thus bringing to a close the first reading for both Institutions.

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

P9_TA(2024)0103

Reporting requirements

European Parliament legislative resolution of 28 February 2024 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1379/2013, Regulation (EU) No 167/2013 and Regulation (EU) No 168/2013 of the European Parliament and of the Council as regards certain reporting requirements (COM(2023)0643 – C9-0388/2023 – 2023/0370(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0643),
 - having regard to Article 294(2) and Articles 43(2) and 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0388/2023),
 - 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 13 December 2023¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A9-0009/2024),
1. Adopts its position at first reading, taking over the Commission proposal;
 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 28 February 2024 with a view to the adoption of Regulation (EU) 2024/... of the European Parliament and of the Council amending Regulations (EU) No 1379/2013, (EU) No 167/2013 and (EU) No 168/2013 as regards certain reporting requirements

(Text with EEA relevance)

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) and Article 114 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 Committee¹,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure²,

¹ OJ C, C/2024/1587, 5.3.2024, ELI: <http://data.europa.eu/eli/C/2024/1587/oj>.

² Position of the European Parliament of 28 February 2024 (not yet published in the Official Journal) and decision of the Council of

Whereas:

- (1) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of Union legal acts. However, it is important to streamline such requirements in order to ensure that they fulfil the purpose for which they were intended and to limit the administrative burden.
- (2) Streamlining reporting obligations and reducing the administrative burden is therefore a priority. Regulations (EU) No 1379/2013¹, (EU) No 167/2013² and (EU) No 168/2013³ of the European Parliament and of the Council contain a number of reporting requirements in the fields of marketing standards and market surveillance which should be simplified in line with the Commission's Communication of 16 March 2023 entitled 'Long-term competitiveness of the EU: looking beyond 2030'.
- (3) This Regulation removes and simplifies reporting requirements which are no longer deemed necessary in the area of the common organisation of the markets in fishery and aquaculture products and affecting the fishing industry and in the area of type-approval and market surveillance of agricultural and forestry vehicles, two- and three-wheel vehicles and quadricycles.
- (4) Regulation (EU) No 1379/2013 provides that rules establishing common marketing standards, in particular those laid down in, inter alia, Council Regulation (EC) No 2406/96⁴ are to continue to apply.

¹ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

² Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (OJ L 60, 2.3.2013, p. 1).

³ Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L 60, 2.3.2013, p. 52).

⁴ Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products (OJ L 334, 23.12.1996, p. 1).

- (5) Article 13 of Regulation (EC) No 2406/96 requires that each Member State is to provide the other Member States and the Commission with a list of the names and addresses of the experts and trade organisations appointed for grading fishery products for freshness and size not later than one month before the entry into force of that Regulation, and is to subsequently inform the other Member States and the Commission of any amendments to the list. As that requirement is outdated and no longer necessary to achieve the objectives of Regulation (EU) No 1379/2013, it should no longer apply.
- (6) Regulation (EU) No 167/2013 sets out the rules on the approval and market surveillance of agricultural and forestry vehicles.
- (7) Articles 74 and 75 of Regulation (EU) No 167/2013 require Member States to inform the Commission of the application of the type-approval procedures and of individual vehicle approvals respectively, and require the Commission to submit reports to the European Parliament and to the Council. In 2022, the Commission carried out a study on the matters subject to those information and reporting obligations. As that study determined that the type-approval procedures and individual vehicle approvals are satisfactory, those information and reporting obligations should no longer apply.
- (8) Regulation (EU) No 168/2013 sets out the rules on the approval and market surveillance of two- or three-wheel vehicles and quadricycles.

- (9) Articles 78 and 80 of Regulation (EU) No 168/2013 require Member States to inform the Commission of the application of the type-approval procedures and of individual vehicle approvals respectively, and require the Commission to submit reports to the European Parliament and to the Council. In 2022, the Commission carried out a study on the matters subject to those information and reporting obligations. As that study determined that the type-approval procedures and individual vehicle approvals are satisfactory, those information and reporting obligations should no longer apply.
- (10) Since the objective of this Regulation, namely to streamline the reporting requirements laid down in Regulations (EU) No 1379/2013, (EU) No 167/2013 and (EU) No 168/2013, cannot be sufficiently achieved by the Member States but can rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (11) Regulations (EU) No 1379/2013, (EU) No 167/2013 and (EU) No 168/2013 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1
Amendment to Regulation (EU) No 1379/2013

In Article 47 of Regulation (EU) No 1379/2013, paragraph 1 is replaced by the following:

"1. Without prejudice to paragraph 2, rules establishing common marketing standards, in particular those laid down in Council Regulation (EEC) No 2136/89*, Council Regulation (EEC) No 1536/92** and Council Regulation (EC) No 2406/96***, with the exception of Article 13 thereof, shall continue to apply. Rules adopted for the application of common marketing standards, such as those laid down in Commission Regulation (EEC) No 3703/85****, shall continue to apply.

* Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products (OJ L 212, 22.7.1989, p. 79).

** Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito (OJ L 163, 17.6.1992, p. 1).

*** Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products (OJ L 334, 23.12.1996, p. 1).

**** Commission Regulation (EEC) No 3703/85 of 23 December 1985 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish (OJ L 351, 28.12.1985, p. 63).".

Article 2

Amendments to Regulation (EU) No 167/2013

Regulation (EU) No 167/2013 is amended as follows:

- (1) Article 74 is deleted;
- (2) Article 75 is deleted.

Article 3

Amendments to Regulation (EU) No 168/2013

Regulation (EU) No 168/2013 is amended as follows:

- (1) Article 78 is deleted;
- (2) Article 80 is deleted.

Article 4

Entry into force

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...,

For the European Parliament

For the Council

The President

The President
