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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. Cion doc.:	9574/13 - COM(2013) 267 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on protective measures against pests of plants - Preparation for the informal trilogue

INTRODUCTION

1. On 6 May 2013, the Commission submitted to the European Parliament and the Council the above-mentioned proposal, based on Article 43 of the Treaty on the Functioning of the European Union¹.
2. The Economic and Social Committee issued its opinion on 10 December 2013, and on 13 January 2014 the Committee of the Regions informed the Council that it would not issue an opinion.
3. The European Parliament adopted its opinion at first reading on 15 April 2014. This position was subsequently confirmed by the newly elected Parliament and Mrs. Anthea McINTYRE, ECR (UK) was appointed as the Rapporteur.

¹ COM (2013) 267 final - 2013/141 (COD) (doc 9574/13)

4. Following informal contacts, the European Parliament would be ready to start rapidly negotiations with the Council with a view to reaching a pre-negotiated second reading agreement, if possible.
5. Two national parliaments have delivered opinions on the application of the principles of subsidiarity and proportionality.

STATE OF PLAY

6. The Working Party (Protection and Inspection – Plant Health) carried out the technical examination of the proposal from 18 July 2013 to 3-4 June 2015, through 23 meetings, spanning over five Council Presidencies. Four version of suggestions for redrafting on the whole text have been discussed².
7. The Working Party of the Chief Plant Health Officers (COPHS) also examined the key issues in three different meetings³, namely: transit, plant passports, phytosanitary certificates for export and re-export, the import regime.
8. The Working Party of Agricultural Attachés/ Phytosanitary experts examined the final suggestions for redrafting⁴ and European Parliament amendments⁵ during four meetings⁶ in June 2015. During these meetings, further adjustments⁷ were proposed to delegations by the Presidency and at the last meeting delegations were generally positive : most of these indicated a support or a positive scrutiny reservation on the final compromise text; a few indicated a scrutiny reservation or indicate that they could not confirm their position before the Coreper (Part 1) meeting of 30 June 2015.

² First redraft: Doc. 9613/14 + ADD1; second redraft: Doc. 15549/14 and 5670/15; third redraft: Doc. 6971/15 and 6971/15 REV 2; fourth redraft: Doc. 6971/15 REV 4.

³ On 11-12.11.2014, 3.3.2015 and 23.6.2015.

⁴ Doc. 9739/15

⁵ Doc. 10108/15 REV1

⁶ On 15.6.2015, 18.6.2015, 24.6.2015 and 26.6.2015.

⁷ Docs. DS 1403/15, DS 1406/15 and DS 1413/15.

CONCLUSION

9. In the light of the above, the Permanent Representatives Committee is invited
- to agree to the text as set out in document 10108/15 REV2, and
 - to give a mandate to the Presidency to enter into informal trilogues with the representatives of the European Parliament and the Commission on the basis of this text with the view of reaching, if possible, a pre-negotiated second reading agreement.
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