Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Draft Regulation of the European Parliament and of the Council on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001 **(First reading) (Legislative deliberation)** – Preparation for adoption of the legislative act

1. On 20 December 2013, the Commission sent its proposal[1], based on Article 114 TFEU, to the Council.

2. The European Economic and Social Committee delivered its opinion on 30 April 2014[2].

3. In accordance with the provisions of the Joint Declaration on practical arrangements for the codecision procedure[3], informal contacts were initiated between the Council, the European Parliament and the Commission with the aim of reaching agreement at first reading.

1 18171/13.
2 OJ C 311, 12.9.2014 REV1, p. 73.
3 OJ C 145, 30.6.2007, p. 5.

4. On 10 June 2015, the Permanent Representatives Committee agreed on a draft text[4] and authorised the Chair to send a letter to the Chair of the ENVI Committee stating that if the Parliament would adopt its position at first reading in the form of such text, the act would be adopted by the Council in the wording corresponding to the European's Parliament's position.

5. The European Parliament adopted its position at first reading on the Commission proposal on 28 October 2015[5].

6. The outcome of voting in the European Parliament reflects the text agreed by the Permanent Representatives Committee on 10 June 2015, with the exception of Recital 40 in relation to which the European Parliament neither approved the changes proposed by the Council to the Commission proposal nor adopted any other amendment.

   Consequently, the text of Recital 40 corresponds to the text of Recital 27 in the Commision´s proposal.

   Such difference between the text agreed by the Permanent Representatives Committee on 10 June 2015 and the first reading position of the European Parliament should be acceptable to the Council.

7. The Permanent Representatives Committee is therefore asked to:

   – agree to the European Parliament's position as set out in PE-CONS 38/15 and

   – invite the Council to approve the European Parliament's position as an "A" item at a forthcoming meeting.

   If the Council approves the European Parliament's position, the legislative act will be adopted.

   After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

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[4] Document 9407/1/15, subject to the addition of the following sentence to Article 28a: "*References to the repealed point (t) of Article 2(2) of Regulation (EU) No 1169/2011 shall be construed as references to point (f) of Article 2(2) of this Regulation.*".

[5] 13346/15.