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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2016/2031 of the European Parliament and of the Council as regards multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high risk plants, plant products and other objects, the establishment of procedures for the listing of high risk plants, the content of phytosanitary certificates, the use of plant passports and as regards certain reporting requirements for demarcated areas and surveys of pest - *Mandate for negotiations with the European Parliament*

1. Introduction

1. On 18 October 2023, the Commission submitted to the Council and the European Parliament a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/2031 of the European Parliament and of the Council as regards multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high risk plants, plant products and other objects, the establishment of procedures for the listing of high risk plants, the content of phytosanitary certificates, the use

of plant passports and as regards certain reporting requirements for demarcated areas and surveys of pest[1].

2. The proposal is based on Article 43(2) of the Treaty on the Functioning of the European Union (TFEU) and is hence subject to the ordinary legislative procedure. Its objective is to introduce targeted amendments to the basic legal framework for the EU's plant health policy set out in Regulation (EU) 2016/2031, with a view to increasing transparency and effectiveness, and decreasing administrative burden. The proposal takes account of the findings of two Commission reports submitted in 2021[2] and the experience gained since the implementation of the Regulation.

3. On 13 December, the European Economic and Social Committee delivered its opinion on the proposal.

4. In the European Parliament, the Committee on Agriculture and Rural Development (AGRI) has the lead responsibility, with Mrs Clara Aguilera (S&D, Spain) appointed rapporteur. The Committee on the Environment, Public Health and Food Safety (ENVI) was associated but decided not to deliver an opinion. The draft report was presented in AGRI on 24 January 2024.

2. Work within the Council

5. The Working Party on Plants and Plant Health Questions (Chief Plant Health Officers) started examining the proposal under the Spanish Presidency at its meeting on 7 November 2023. It concluded its work under the Belgian Presidency at its meeting on 25 January 2024.

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1 14398/23

2 Report from the Commission to the European Parliament and the Council to present the experience gained from the extension of the plant passport system to all movement of plants for planting within the Union territory (14932/21) and Report from the Commission to the European Parliament and the Council on the enforcement and effectiveness of plant health measures relating to imports into the Union territory (14972/21)

6. The changes agreed by the Working Party mainly consist of technical adaptations aimed at:

   - further clarifying the scope and role of the Union Plant Health Emergency Team (new Article19a);
   - clarifying the rules for exceptions from the notification obligations (new Article 1a); and
   - clarifying the modalities of temporary derogations from certain prohibitions.

7. In concluding the Working Party discussions, the Presidency noted that there was broad support for the Presidency compromise text set out in 5847/24 as the mandate for starting negotiations with the European Parliament[3].

3. Conclusion

8. In the light of the above, the Permanent Representative Committee is invited to confirm the agreement on the text set out in 5847/2024 and mandate the Presidency to start negotiations with the European Parliament based on this text, with a view to reaching, if possible, an agreement at first reading.

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[3] One delegation was not able to support the extension of the application date from 6 to 36 months.