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European Union

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FOOD 18
SEMENCES 13
VETER 36
FORETS 37
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**Interinstitutional File:
2023/0062(COD)**

'I' ITEM NOTE

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

No. Cion doc.: COM(2023) 124
No. prev. doc.: ST 6931/23 INIT
ST 6931/23 ADD 1

Subject: Proposal for REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland

1. On 27 February 2023, the Commission submitted to the Council a proposal for a Regulation of the European Parliament and of the Council on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland (ST6931/23+COR 1+ADD 1+ADD1 COR 1).

2. This proposal forms part of a wider package referred to as the ‘Windsor Framework’. Other acts forming part of the package include:
- a. Council Decision on the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community as regards a decision to be adopted, and recommendations and joint and unilateral declarations to be made. This Council Decision was adopted on 21 March and is contained in document ST 7099/23 + ADD 1. The subsequent Joint Committee Decision 1/2023 was adopted and the Recommendations and Declarations were made on 24 March 2023 in this Joint Committee.
 - b. Council Decision on the position to be taken on behalf of the European Union in the Joint Consultative Working Group established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community as regards the amendment of its rules of procedure. This Council Decision was adopted on 21 March 2023 and is contained in document ST 7098 + ADD1.
 - c. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2020/2170 as regards the application of Union tariff rate quotas and other import quotas to certain products transferred to Northern Ireland (ST 6932/23 + COR 1+ADD 1 + ADD1 COR 1).
 - d. Proposal for a Regulation of the European Parliament and of the Council on specific rules relating to medicinal products for human use intended to be placed on the market of Northern Ireland (ST 6928/23+COR1, compromise proposal contained in document ST 7470 2023).

3. This Proposal for a Regulation aims at addressing the United Kingdom's concerns that the Withdrawal Agreement imposes a disproportionately high administrative burden on the entry into Northern Ireland from other parts of the United Kingdom of certain goods subject to sanitary and phytosanitary (SPS) measures, where the goods are destined for final consumers in Northern Ireland, so that it undermines unnecessarily the place of Northern Ireland within the United Kingdom's internal market.
4. The Commission presented the proposal on 28 February 2023 to the Working Party on the United Kingdom, where it was discussed again on 17 March 2023. The text was then discussed by agricultural Attachés on 21 March and the delegates of the Working Party on Fisheries were invited to give written comments by 23 March 2023.
5. On 28 March 2023 the Working Party on the United Kingdom found an agreement on the text with one technical modification. The agreed text is contained in ST 7730 2023 + ADD 1.
6. The services of the General Secretariat of the Council and of the European Parliament have worked together to ensure that the proposal is adopted in the same wording in both institutions.
7. In light of the agreement in substance between both institutions, the Permanent Representatives Committee is invited to:
 - Confirm its agreement on the text as set out in the Annex to this note with a view to reaching an agreement at first reading with the European Parliament; and to

- authorise the Chair of the Permanent Representatives Committee to send a letter to the European Parliament confirming that, should the European Parliament adopt its position at first reading according to Article 294(3) of the Treaty on the Functioning of the European Union (TFEU) in the form as set out in the Annex to this note, subject to revision by the lawyer-linguists of both institutions, the Council will approve the European Parliament's position according to Article 294(4) TFEU and the act will be adopted in the wording which corresponds to the European Parliament's position at first reading.

Brussels, 5 April 2023

Mr Pascal Canfin
Chair, Committee on the Environment, Public Health and Food Safety (ENVI)
Mr. Norbert Lins
Chair, Committee on Agriculture and Rural Development (AGRI),
European Parliament
60, rue Wiertz
B - 1047 BRUSSELS
Belgium

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland
(2023/0062 (COD))

Dear Sirs,

I would like to inform you, that the Permanent Representatives Committee agreed today to the draft compromise text of the above proposal with one purely technical modification. You find the text in the annex to this letter.

I am therefore in a position to confirm that, should the European Parliament adopt its position at first reading, in accordance with Article 294, paragraph 3 of the Treaty, in the wording set out in the Annex to this letter, subject to revision by the legal linguists of both institutions, the Council would, in accordance with Article 294, paragraph 4 of the Treaty, approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the European Parliament's position.

On behalf of the Council, I wish to thank you for your close and swift cooperation on this file, which should enable us to reach agreement on this file in first reading.

Yours faithfully,

L. DANIELSSON
Chairman of the
Permanent Representatives Committee

Copy: Mr Maroš ŠEFČOVIČ, Vice President of the European Commission, Mr. Martin Hlaváček, rapporteur