



EUROPEAN
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2014/0275 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**suspending certain concessions relating to the import into the Union of agricultural
products originating in Turkey (codification)**

EXPLANATORY MEMORANDUM

1. In the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying the law of the Union so as to make it clearer and more accessible to citizens, thus giving them new opportunities and the chance to make use of the specific rights it gives them.

This aim cannot be achieved so long as numerous provisions that have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules.

For this reason a codification of rules that have frequently been amended is also essential if the law is to be clear and transparent.

2. On 1 April 1987 the Commission decided¹ to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that their provisions are clear and readily understandable.
3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this², stressing the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

Codification must be undertaken in full compliance with the normal procedure for the adoption of acts of the Union.

Given that no changes of substance may be made to the instruments affected by codification, the European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

4. The purpose of this proposal is to undertake a codification of Council Regulation (EC) No 1506/98 of 13 July 1998 establishing a concession in the form of a Community tariff quota for Turkey in 1998 in respect of hazelnuts and suspending certain concessions³. The new Regulation will supersede the various acts incorporated in it⁴; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.
5. The codification proposal was drawn up on the basis of a preliminary consolidation, in 23 official languages, of Regulation (EC) No 1506/98 and the instrument amending it, carried out by the Publications Office of the European Union, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table set out in Annex III to the codified Regulation.

¹ COM(87) 868 PV.

² See Annex 3 to Part A of the Conclusions.

³ Entered in the legislative programme for 2014.

⁴ See Annex II to this proposal.

↓ 1506/98 (adapted)

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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 207(2) 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 Committee⁵,
Acting in accordance with the ordinary legislative procedure,
Whereas:

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(1) Council Regulation (EC) No 1506/98⁶ has been substantially amended⁷. In the interests of clarity and rationality, that Regulation should be codified.

↓ 1506/98 recital 1

(2) Under the Agreement establishing an Association between the European Economic Community and Turkey⁸ ('the Agreement') concessions were granted to that country in respect of certain agricultural products.

↓ 1506/98 recital 4 (adapted)

(3) Decision No 1/98 of the EC-Turkey Association Council⁹ provides for the improvement and consolidation of trade preferences relating to the import into the Union of agricultural products originating in Turkey and establishes a series of preferential concessions for Union exports of meat and live animals to Turkey.

⁵ OJ C [...], [...], p. [...].

⁶ Council Regulation (EC) No 1506/98 of 13 July 1998 establishing a concession in the form of a Community tariff quota for Turkey in 1998 in respect of hazelnuts and suspending certain concessions (OJ L 200, 16.7.1998, p. 1).

⁷ See Annex II.

⁸ OJ 217, 29.12.1964, p. 3687/64.

⁹ Decision No 1/98 of the EC-Turkey Association Council of 25 February 1998 on the trade regime for agricultural products (OJ L 86, 20.3.1998, p. 1).

↓ 1506/98 recital 5 (adapted)

- (4) Turkey has since 1996 been applying a ban on the import of live animals of the bovine species (CN code 0102) and restrictions on the import of beef (CN codes 0201-0202). Those measures, being quantitative restrictions, are incompatible with the Agreement and prevent the ☒ Union ☒ from benefiting from the concessions granted to it under Decision No 1/98. Despite talks intended to achieve a negotiated solution with Turkey to the problem, the quantitative restrictions are still in place.

↓ 1506/98 recital 6 (adapted)

- (5) As a result of those measures, exports to Turkey of the products in question originating in the ☒ Union ☒ are blocked. In order to protect the ☒ Union's ☒ commercial interests, the situation should be counterbalanced by means of equivalent measures. The concessions set out in ☒ Annex I ☒ to this Regulation should therefore be suspended.

↓ 255/2014 recital 6 (adapted)

- (6) In order to ensure uniform conditions for the implementation of ☒ this ☒ Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁰,

↓ 1506/98 (adapted)

☒ HAVE ☒ ADOPTED THIS REGULATION:

Article 1

The two tariff quotas laid down in Annex I are suspended.

↓ 255/2014 Art. 3.1

Article 2

The Commission shall, by means of implementing acts, terminate the suspension measures referred to in Article 1 once the barriers to preferential exports from the Union to Turkey have been lifted. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 3(2).

¹⁰ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

↓ 255/2014 Art. 3.2

Article 3

1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council¹¹. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
3. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or at least a quarter of committee members so request.

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Article 4

Regulation (EC) No 1506/98 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

↓ 1506/98 (adapted)

Article 5

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

↓ 1506/98

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

Done at Brussels,

For the European Parliament
The President

For the Council
The President

¹¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).