

EUROPEAN PARLIAMENT

2004



2009

Session document

FINAL
A6-0299/2007

24.7.2007

*****I**

REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1829/2003 on genetically modified food and feed, as regards the implementing powers conferred on the Commission (COM(2006)0912 – C6-0027/2007 – 2006/0307(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Karin Scheele

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- *** Assent procedure
majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
PROCEDURE.....	13

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1829/2003 on genetically modified food and feed, as regards the implementing powers conferred on the Commission (COM(2006)0912 – C6-0027/2007 – 2006/0307(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2006)0912)¹,
 - having regard to Article 251(2) and Articles 37, 95 and 152, pursuant to which the Commission submitted the proposal to Parliament (C6-0027/2007),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0299/2007),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1

ARTICLE 1, POINT 1

Article 3, paragraph 2 (Regulation (EC) No 1829/2003)

2. Where necessary, measures to determine whether a type of food falls within the scope of this Section ***which are designed to amend non-essential elements of this Regulation by supplementing it*** shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(4)***.

2. Where necessary, measures to determine whether a type of food falls within the scope of this Section shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(3) as they are designed to amend non-essential elements of this Regulation by supplementing it.***

¹ Not yet published in OJ.

Amendment 2
ARTICLE 1, POINT 1 A (new)
Article 5, paragraph 7 (Regulation (EC) No 1829/2003)

(1a) In Article 5, paragraph 7 is replaced by the following:

"7. The Commission, having first consulted the Authority, shall establish implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3)."

Amendment 3
ARTICLE 1, POINT 1 B (new)
Article 7, paragraph 3 (Regulation (EC) No. 1829/2003)

(1b) In Article 7, paragraph 3 is replaced by the following:

"3. A final decision on the application shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3), as it is designed to amend non-essential elements of this Regulation by supplementing it."

Justification

The European Parliament should have the right of scrutiny for these decisions.

Amendment 4
ARTICLE 1, POINT 1 C (new)
Article 8, paragraph 8 (Regulation (EC) No 1829/2003)

(1c) In Article 8, paragraph 8 is replaced by the following:

"8. The Commission shall adopt detailed rules for implementing this Article. Those measures, designed to amend non-essential elements of this Regulation by

supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3)."

Amendment 5

ARTICLE 1, POINT 1 D (new)

Article 11, paragraph 5 (Regulation (EC) No 1829/2003)

(1d) In Article 11, paragraph 5 is replaced by the following:

"5. The Commission, having first consulted the Authority, may establish implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3)."

Amendment 6

ARTICLE 1, POINT 2

Article 12, paragraph 4 (Regulation (EC) No 1829/2003)

4. Appropriate lower thresholds may be established in particular in respect of foods containing or consisting of GMOs or in order to take into account advances in science and technology. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(4)***.

4. Appropriate lower thresholds may be established in particular in respect of foods containing or consisting of GMOs or in order to take into account advances in science and technology. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(3)***.

Amendment 7

ARTICLE 1, POINT 2 A (new)

Article 14 (Regulation (EC) No 1829/2003)

(2a) Article 14 is replaced by the following:

"1. The Commission may adopt detailed rules for implementing this Section, amongst other things regarding the measures necessary for operators to comply with the labelling requirements. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3).

2. The Commission may adopt specific rules concerning the information to be given by mass caterers providing food to the final consumer. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3).

In order to take into account the specific situation of mass caterers, such rules may provide for adaptation of the requirements of Article 13(1)(e)."

Amendment 8

ARTICLE 1, POINT 3

Article 15, paragraph 2 (Regulation (EC) No 1829/2003)

2. Where necessary, measures to determine whether a type of *food* falls within the scope of this Section ***which are designed to amend non-essential elements of this Regulation by supplementing it*** shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(4)***.

2. Where necessary, measures to determine whether a type of *feed* falls within the scope of this Section shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(3) as they are designed to amend non-essential elements of this Regulation by supplementing it.***

Amendment 9

ARTICLE 1, POINT 3 A (new)

Article 17, paragraph 7 (Regulation (EC) No 1829/2003)

(3a) In Article 17, paragraph 7 is replaced by the following:

"7. The Commission, having first consulted the Authority, shall establish implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3)."

Amendment 10

ARTICLE 1, POINT 3 B (new)

Article 20, paragraph 8 (Regulation (EC) No 1829/2003)

(3b) In Article 20, paragraph 8 is replaced by the following:

"8. The Commission shall adopt detailed rules for implementing this Article. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3)."

Amendment 11

ARTICLE 1, POINT 3 C (new)

Article 23, paragraph 5 (Regulation (EC) No 1829/2003)

(3c) In Article 23, paragraph 5 is replaced by the following:

"5. The Commission, having first consulted the Authority, may establish implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3)."

Amendment 12
ARTICLE 1, POINT 4
Article 24, paragraph 4 (Regulation (EC) No 1829/2003)

2. Measures to establish appropriate lower thresholds in particular in respect of feed containing or consisting of GMOs, or in order to take into account advances in science and technology, ***which are designed to amend non-essential elements of this Regulation by supplementing it*** shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(4)***.

2. Measures to establish appropriate lower thresholds in particular in respect of feed containing or consisting of GMOs, or in order to take into account advances in science and technology, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in ***Article 35(3) as they are designed to amend non-essential elements of this Regulation by supplementing it***.

Amendment 13
ARTICLE 1, POINT 4 A (new)
Article 26 (Regulation (EC) No 1829/2003)

(4a) Article 26 is replaced by the following:

"The Commission may adopt detailed rules for implementing this Section, amongst other things regarding the measures necessary for operators to comply with the labelling requirements. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3)."

Amendment 14
ARTICLE 1, POINT 6
Article 35, paragraph 3 (Regulation (EC) No 1829/2003)

(6) In Article 35, ***paragraphs 3 and 4 are*** replaced by the following:

"3. Where reference is made to this paragraph, Article 5a (1) to (4) and Article 7 of Decision 1999/468/EC shall apply,

(6) In Article 35, ***paragraph 3 is*** replaced by the following:

"3. Where reference is made to this paragraph, Article 5a (1) to (4) and Article 7 of Decision 1999/468/EC shall apply,

having regard to the provisions of Article 8 thereof.

having regard to the provisions of Article 8 thereof.

4. Where reference is made to this paragraph, Article 5a (1) to (4) and (5) (b) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The time limits laid down in Article 5a (3)(c) and (4)(b) and (4)(e) of Decision 1999/468/EC shall be two months, one month and two months respectively. "

PROCEDURE

Title	Genetically modified food and feed (implementing powers conferred on the Commission)						
References	COM(2006)0912 - C6-0027/2007 - 2006/0307(COD)						
Date submitted to Parliament	22.12.2006						
Committee responsible Date announced in plenary	ENVI 17.1.2007						
Rapporteur(s) Date appointed	Karin Scheele 27.2.2007						
Discussed in committee	26.6.2007						
Date adopted	17.7.2007						
Result of final vote	<table> <tr> <td>+</td><td>40</td></tr> <tr> <td>-</td><td>18</td></tr> <tr> <td>0</td><td>3</td></tr> </table>	+	40	-	18	0	3
+	40						
-	18						
0	3						
Members present for the final vote	Adamos Adamou, Margrete Auken, Pilar Ayuso, Irena Belohorská, Johannes Blokland, John Bowis, Frieda Brepoels, Hiltrud Breyer, Dorette Corbey, Chris Davies, Avril Doyle, Edite Estrela, Jill Evans, Anne Ferreira, Karl-Heinz Florenz, Alessandro Foglietta, Matthias Groote, Françoise Grossetête, Satu Hassi, Gyula Hegyi, Jens Holm, Marie Anne Isler Béguin, Caroline Jackson, Dan Jørgensen, Christa Kläß, Eija-Riitta Korhola, Holger Krahmer, Urszula Krupa, Marie-Noëlle Lienemann, Jules Maaten, Marios Matsakis, Linda McAvan, Alexandru-Ioan Morțun, Roberto Musacchio, Riitta Myller, Péter Olajos, Miroslav Ouzký, Vladko Todorov Panayotov, Dagmar Roth-Behrendt, Guido Sacconi, Amalia Sartori, Karin Scheele, Carl Schlyter, Kathy Sinnott, Bogusław Sonik, María Sornosa Martínez, Evangelia Tzampazi, Thomas Ulmer, Anja Weisgerber, Åsa Westlund, Anders Wijkman, Glenis Willmott						
Substitute(s) present for the final vote	Alfonso Andria, Antonio De Blasio, Jiří Maštálka, Miroslav Mikolášik, Renate Sommer, Andres Tarand, Lambert van Nistelrooij						
Substitute(s) under Rule 178(2) present for the final vote	Francesco Ferrari, Albert Deß						