



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

A7-0273/2010

6.10.2010

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council
on the indication of the country of origin of certain products imported from
third countries
(COM(2005)0661 – C7-0048/2010 – 2005/0254(COD))

Committee on International Trade

Rapporteur: Cristiana Muscardini

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

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

Amendments to a draft act

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
EXPLANATORY STATEMENT	27
PROCEDURE.....	30

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on the indication of the country of origin of certain products imported from third countries (COM(2005)0661 – C7-0048/2010 – 2005/0254(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2005)0661),
 - having regard to Article 207(2) of the Treaty on the Functioning of the European Union , pursuant to which the Commission submitted the proposal to Parliament (C7-0048/2010),
 - having regard to the Commission Communication to Parliament and the Council entitled ‘Consequences of the entry into force of the Treaty of Lisbon for ongoing interinstitutional decision-making procedures’ (COM(2009)0665),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on International Trade (A7-0273/2010),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) The European Union does not have harmonised provisions or uniform practices on origin marking in the Union, except for some specific cases in the agricultural sector;

Amendment 2

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Today many companies in the EU already voluntarily use marking of origin.

Amendment 3

Proposal for a regulation Recital 2

Text proposed by the Commission

Amendment

(2) The absence of Community rules and the disparities between the systems in force in the Member States, as regards the indication on certain products of their country of origin, has given rise to a situation where in a number of sectors a major part of products imported from third countries and distributed within the Community market are found to carry no or misleading information concerning their country of origin.

(2) The absence of Community rules and the disparities between the systems in force in the Member States, as regards the indication on certain products of their country of origin, has given rise to a situation where in a number of sectors a major part of products imported from third countries and distributed within the Community market are found to carry no or misleading information concerning their country of origin. ***These disparities are also leading to a situation where import traffic from third countries is shifting towards particular EU points of entry which suit the exporting country most,***

Amendment 4

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The results of the Commission's general stakeholder consultation (industry, importers, consumers associations, trade unions) on the possible

development of an EU regulation on origin marking indicate that European consumers' perception of the relevance of origin marking to information for them in relation to safety and social and environmental concerns is generally high;

Amendment 5

Proposal for a regulation Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) European regulation of origin marking is perceived by European citizens to be closely linked with protection of their health and safety.

Justification

Consumers are entitled to full and clear information on the origin of products sold in the European Union, where it is felt that a particular origin combined with particular conditions of supply offer a reliable and unfailing indication of poor quality and a potential threat to the health and safety of the purchaser.

Amendment 6

Proposal for a regulation Recital 2 c (new)

Text proposed by the Commission

Amendment

(2c) In the Lisbon Agenda, the EU set itself the objective of strengthening the European economy by, inter alia, improving the competitiveness of the European industry in the world economy and the EU 2020 strategy is committed to building on this need for improving competitiveness; for certain categories of consumer goods, competitiveness may lie in the fact that their production in the EU is associated with a reputation for quality and high production standards;

Amendment 7

Proposal for a regulation Recital 2 d (new)

Text proposed by the Commission

Amendment

(2d) European rules on origin marking would strengthen the competitiveness of European firms and of the European economy as a whole by enabling citizens and consumers to make informed choices.

Justification

European products are undoubtedly typified by high standards of quality and reliability. A market where products of excellence and quality are sought after can only be boosted by a clear link between a product and its country of origin.

Amendment 8

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) There have been several cases of health and safety incidents arising from products imported into the EU from third countries. A clear indication of origin will give EU citizens more information and more control over their choices, thus offering them protection from unknowingly purchasing products of potentially dubious quality.

Amendment 9

Proposal for a regulation Recital 3 b (new)

Text proposed by the Commission

Amendment

(3b) The Member States' customs authorities should perform border checks and controls on the implementation of

this regulation via a single harmonised procedure so as to reduce the administrative burden.

Justification

Efforts should be made to ensure that border checks and controls do not prove an excessive red tape.

Amendment 10

**Proposal for a regulation
Recital 3 c (new)**

Text proposed by the Commission

Amendment

(3c) In order to ensure that this Regulation is effective and only imposes light administrative burdens whilst granting the maximum flexibility for European companies , it should be in compliance with existing "made-in" schemes worldwide.

Amendment 11

**Proposal for a regulation
Recital 5 a (new)**

Text proposed by the Commission

Amendment

(5a) An origin marking scheme would enable consumers to identify products with the social, environmental and safety standards generally associated with the country of origin.

Amendment 12

**Proposal for a regulation
Recital 7**

Text proposed by the Commission

Amendment

(7) The introduction of an origin mark can

(7) The introduction of an origin mark can

contribute to make demanding Community standards work in favour of the Community industry, especially small and medium enterprises. It will also help to prevent the reputation of the Community industry being tainted by inaccurate claims of origin. Improved transparency and consumer information about the origin of goods will thus contribute to the objectives of the Lisbon agenda.

contribute to make demanding Community standards work in favour of the Community industry, especially small and medium enterprises, ***which often put a genuine effort into the quality of their products and which also preserve traditional and artisanal jobs and methods of production, but which are also greatly exposed to global competition which lacks rules that distinguish between production methods.*** It will also help to prevent the reputation of the Community industry being tainted by inaccurate claims of origin. Improved transparency and consumer information about the origin of goods will thus contribute to the objectives of the Lisbon agenda ***and those of the EU 2020 Strategy.***

Amendment 13

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Rules on origin marking also provide effective protection against counterfeiting and unfair competition, thereby enhancing the effectiveness of Council Regulation (EC) No 1383/2003 of 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights¹ (anti-counterfeiting regulation) providing a further important instrument to protect and enhance European production.

¹ OJ L 196, 2.8.2003, p. 7.

Justification

Counterfeiting causes real damage to the economic position of SME in Europe, companies for

which quality and excellence are defining characteristics. The ability to trace the origins of a product would make it possible to further limit these harmful practices in everyone's interest.

Amendment 14

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Under the Agreements between the European Community and **Bulgaria, Romania**, Turkey, and the Contracting Parties of the EEA Agreement, is necessary to exclude products originating in these countries from the scope of the present Regulation.

Amendment

(9) Under the Agreements between the European Community and Turkey and the Contracting Parties of the EEA Agreement, is necessary to exclude products originating in these countries from the scope of the present Regulation.

Amendment 15

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) In order to limit the burden on industry, trade and administration, origin marking should be made mandatory for those sectors for which the Commission, based on prior consultation found that there was value added. ***Provision should be made for an easy adaptation of the sectoral scope of this Regulation.*** Provision should ***also*** be made for the exemption of specific products for technical ***or economic*** reasons or where origin marking is otherwise unnecessary for the purpose of this Regulation. This may be the case, in particular, where origin marking would damage the goods concerned, or in case of certain raw materials.

Amendment

(11) In order to limit the burden on industry, trade and administration, origin marking should be made mandatory for those sectors for which the Commission, based on prior consultation found that there was value added. Provision should be made for the exemption of specific products for technical reasons or where origin marking is otherwise unnecessary for the purpose of this Regulation. This may be the case, in particular, where origin marking would damage the goods concerned, or in case of certain raw materials.

Amendment 16

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) *The measures necessary for the implementation of this Regulation should be adopted in accordance with* Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

Amendment

(13) *According to Article 291 of the Treaty on the Functioning of the European Union, rules and general principles concerning mechanisms for the control by Member States of the Commission's exercise of its implementing powers shall be laid down in advance by a regulation adopted in accordance with the ordinary legislative procedure. Pending the adoption of that new regulation, the provisions of* Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission *continues to apply, with the exception of the regulatory procedure with scrutiny which is not applicable.*

Amendment 17

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) *The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty of the Functioning of the European Union in order to determine the cases in which the marking on the packaging may be accepted in lieu of marking on the goods themselves, or the goods cannot or need not be marked for technical reasons, as well as measures to determine other rules that may be required when goods are found not in compliance with this Regulation or to update the Annex thereto*

where the assessment has changed as to whether origin marking is necessary for a specific sector.

Amendment 18

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

1. This regulation shall apply to **industrial** products excluding fisheries and aquaculture products as defined in Article 1 of Regulation (EC) No 104/2000, and foodstuff as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council.

Amendment

1. This regulation shall apply to **end consumer** products excluding fisheries and aquaculture products as defined in Article 1 of Regulation (EC) No 104/2000, and foodstuff as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council.

Amendment 19

Proposal for a regulation Article 1 – paragraph 2

Text proposed by the Commission

2. **Goods** that require marking are those listed in the Annex to this Regulation, and imported from third countries, except for **goods** originating in the Territory of the European **Communities, Bulgaria, Romania**, Turkey, and the Contracting Parties of the EEA Agreement.

Goods may be exempted from origin marking, when for technical or commercial reasons, it appears impossible to mark them.

Amendment

2. **End consumer products** that require marking are those **which are destined for end consumers and** listed in the Annex to this Regulation, and imported from third countries, except for **products** originating in the Territory of the European **Union**, Turkey, and the Contracting Parties of the EEA Agreement.

End consumer products may be exempted from origin marking, when for technical or commercial reasons, it appears impossible to mark them.

Amendment 20

Proposal for a regulation
Article 1 – paragraph 2 – subparagraph 3(new)

Text proposed by the Commission

Amendment

The products to which this Regulation is to apply are limited to end consumer products. The scope of this Regulation can be extended by the Commission, subject to the approval of the European Parliament and the Council.

Amendment 21

Proposal for a regulation
Article 1 – paragraph 6 – subparagraph 2

Text proposed by the Commission

Amendment

When imported goods may be granted relief from import duties pursuant to Regulation (EEC) No 918/83 , and there are no material indications to suggest that the goods are part of commercial traffic, these goods **may** also be excluded from the scope of this Regulation.

When imported goods may be granted relief from import duties pursuant to Regulation (EEC) No 918/838, and there are no material indications to suggest that the goods are part of commercial traffic, these goods **shall** also be excluded from the scope of this Regulation.

Justification

Limiting the categories of goods to final consumer goods.

Amendment 22

Proposal for a regulation
Article 1 - paragraph 6 - subparagraph 3

Text proposed by the Commission

Amendment

The Commission may adopt implementing measures, in accordance with the procedure referred to in Article 6(2), to determine the specific categories of goods

deleted

to which paragraph 6 shall apply.

Amendment 23

Proposal for a regulation

Article 1 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. This Regulation must be in compliance with already existing "made-in" schemes worldwide, to ensure an effective regulation with light administrative burdens and more flexibility for European companies.

Amendment 24

Proposal for a regulation

Article 3 - paragraph 1

Text proposed by the Commission

Amendment

1. The country of origin of goods shall be marked on these goods. In case where goods are packaged, the marking shall be made separately on the package.

The Commission may adopt ***implementing measures, in accordance with the procedure referred to in Article 6(2)***, to determine cases in which marking on the packaging shall be accepted in lieu of marking on the goods themselves. This should, in particular, be the case where goods do normally reach the final consumer or user in their usual packaging.

1. The country of origin of goods shall be marked on these goods. In case where goods are packaged, the marking shall ***also*** be made separately on the package.

The Commission may adopt ***by means of delegated acts*** measures to determine cases in which marking on the packaging shall be accepted in lieu of marking on the goods themselves. This should, in particular, be the case where goods do normally reach the final consumer or user in their usual packaging. ***Such measures and any reviews thereof shall be adopted by the Commission in accordance with the procedure set out in Article 6a.***

Amendment 25

Proposal for a regulation
Article 3 – paragraph 2

Text proposed by the Commission

2. The words “made-in” together with the name of the country of origin shall indicate the origin of goods. The marking may be made in any official language of the European Communities, which is easily understood by the final customers in the Member State in which the goods are to be marketed.

Amendment

2. The words “made-in” together with the name of the country of origin shall indicate the origin of goods. The marking may be made in any official language of the European Communities, which is easily understood by the final customers in the Member State in which the goods are to be marketed ***or in the English language by using the words “made-in” and the English name of the country of origin.***

Amendment 26

Proposal for a regulation
Article – paragraph 3 – subparagraph 2(new)

Text proposed by the Commission

Amendment

The marking may not appear in characters other than those of the Latin alphabet for products marketed in countries where the language is written in that alphabet.

Justification

While it is acceptable for the marking to be written in any of the languages of the European Union, it would be difficult to understand if it were written in Cyrillic or Greek characters outside the countries where these characters are habitually used, producing the opposite effect of that intended by the regulation.

Amendment 27

Proposal for a regulation
Article 4

Text proposed by the Commission

Amendment

The Commission may adopt implementing measures, in accordance with the procedure referred to in Article 6(2), in

1. The Commission may adopt implementing measures, in accordance with the procedure referred to in Article

particular, to:

- Determine the detailed form and modalities of origin marking.
- Establish a list of terms in all Community languages which clearly express that goods originate in the country indicated in the marking.
- Determine the cases where commonly used abbreviations unmistakably indicate the country of origin and can be used for the purpose of this Regulation.

- Determine the cases in which goods cannot or need not be marked for technical *or economic* reasons

- Determine other rules that may be required when goods are found not in compliance with this regulation.
- To update of the Annex to this Regulation where the assessment has changed as to whether origin marking is necessary for a specific sector.

6(2), in particular, to:

- Determine the detailed form and modalities of origin marking.
- Establish a list of terms in all Community languages which clearly express that goods originate in the country indicated in the marking.
- Determine the cases where commonly used abbreviations unmistakably indicate the country of origin and can be used for the purpose of this Regulation.

2. The Commission may adopt by means of delegated acts measures to:

- Determine the cases in which goods cannot or need not be marked for technical reasons

- Determine other rules that may be required when goods are found not in compliance with this regulation.
- To update of the Annex to this Regulation where the assessment has changed as to whether origin marking is necessary for a specific sector.

Such measures and any reviews thereof shall be adopted by the Commission in accordance with the procedure set out in Article 6a.

Amendment 28

Proposal for a regulation

Article 5 – paragraph 2 – subparagraph 2a (new)

Text proposed by the Commission

Amendment

The Commission shall propose minimum common standards for the penalties applicable to infringements of the provisions of this Regulation.

Justification

To ensure uniform application, the Commission should propose minimum common standards for penalties.

Amendment 29

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. The Member States shall lay down the rules on penalties applicable to infringements of the provisions of this regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission within 9 months after the entry into force of this Regulation, at the latest, and shall notify it without delay of any subsequent amendment affecting them.

Amendment

3. The Member States shall lay down the rules on penalties applicable to infringements of the provisions of this regulation, ***on the basis of the minimum common standards proposed by the Commission***, and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission within 9 months after the entry into force of this Regulation, at the latest, and shall notify it without delay of any subsequent amendment affecting them. ***The Commission must ensure at least a minimum level of harmonisation of the penalty systems in the various Member States so as to prevent differences among them from prompting exporters to use certain points of entry to the European Union in preference to others.***

Justification

In order to ensure uniform application, the Commission must propose measures involving minimum common standards for penalties. Substantial disparities in the implementation of this provision among the various Member States could prompt third country exporters to choose the easiest point of access to the European Union. This would produce a situation where the stringency of the final regulation would be reduced to that of the most lenient penalty system applied.

Amendment 30

Proposal for a regulation Article 5 – paragraph 4

Text proposed by the Commission

4. Where goods are not in compliance with

Amendment

4. Where goods are not in compliance with

this Regulation, Member States shall furthermore adopt the measures necessary to require the owner of the goods or any other person responsible for them to mark these goods in accordance with this Regulation and at their own expense.

this Regulation, Member States shall furthermore adopt the measures necessary to require the owner of the goods or any other person responsible for them to mark these goods in accordance with this Regulation and at their own expense. ***The Member States shall notify these provisions to the Commission within nine months after the entry into force of this Regulation, at the latest, and shall notify it without delay of any subsequent amendment affecting them.***

Justification

To ensure uniform application, the Commission must also be informed of these measures.

Amendment 31

**Proposal for a regulation
Article 6 – paragraph 1**

Text proposed by the Commission

1. The Commission shall be assisted by an Origin Marking Committee (hereinafter referred to as ‘the Committee’).

Amendment

1. The Commission shall be assisted by an Origin Marking Committee (hereinafter referred to as ‘the Committee’). ***This committee shall be composed of representatives of the Member States, relevant industries and associations.***

Justification

Ensuring transparency and a voice for interested parties.

Amendment 32

**Proposal for a regulation
Article 6 - paragraph 2**

Text proposed by the Commission

2. Where reference is made to this paragraph, **Articles 5** and 7 of Decision 1999/468/EC shall apply.

Amendment

2. Where reference is made to this paragraph, **Articles 3** and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5 (6) of Decision 1999/468/EC shall be set at one month.

Amendment 33

Proposal for a regulation Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

Exercise of the delegation

- 1. The powers to adopt delegated acts referred to in Articles 3 and 4(2) shall be conferred on the Commission for the period of application of this Regulation.***
- 2. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.***
- 3. The powers to adopt delegated acts are conferred on the Commission subject to the conditions laid down in Articles 6b and 6c.***

Amendment 34

Proposal for a regulation Article 6 b (new)

Text proposed by the Commission

Amendment

Article 6b

Revocation of the delegation

- 1. The delegation of powers referred to in Articles 3 and 4(2) may be revoked at any time by the European Parliament or by the Council.***

2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.

3. The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the Official Journal of the European Union.”

Amendment 35

Proposal for a regulation Article 6 c (new)

Text proposed by the Commission

Amendment

Article 6c

Objections to delegated acts

1. The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification.

At the initiative of the European Parliament or the Council this period shall be extended by two months.

2. If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the Official Journal of the European Union and shall enter into force on the date stated therein.

The delegated act may be published in the

Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

3. If the European Parliament or the Council objects to a delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

Amendment 36

Proposal for a regulation Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

No later than three years after entry into force the Commission shall carry out a study on the effects of this Regulation.

Amendment 37

Proposal for a regulation Annex – row -1 a (new)

Text proposed by the Commission

Amendment

Chapter 30

Pharmaceutical products

Justification

Owing to the specific impact of pharmaceutical products, the origin of such products needs to be clearly indicated.

Amendment 38

Proposal for a regulation
Annex – row 7

<i>Text proposed by the Commission</i>		<i>Amendment</i>	
6907 / 6908 / 6911 / 6912 / 6913 / 691490100	Ceramic products	6904/ 6905 / 6907 / 6908 / 6911/ 6912/ 6913/ 691490100	Ceramic products

Amendment 39

Proposal for a regulation
Annex – row 8

<i>Text proposed by the Commission</i>		<i>Amendment</i>	
7013 21 11 / 7013 21 19 / 7013 21 91 / 7013 21 99 / 7013 31 10 / 7013 31 90 / 7013 91 10 / 7013 91 90	Glassware of kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than headings 7010 or 7018) of lead crystal .	7013 21 11 / 7013 21 19 / 7013 21 91 / 7013 21 99 / 7013 22 10 / 7013 31 10 / 7013 31 90 / 7013 91 10 / 7013 91 90	Glassware of kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than headings 7010 or 7018) of lead crystal, gathered by hand

Justification

To protect craft products.

Amendment 40

Proposal for a regulation
Annex row 9 a (new)

<i>Text proposed by the Commission</i>		<i>Amendment</i>	
CN Code	Description	CN Code	Description
		7318	<i>Screws, bolts, nuts, coach screws, screw hooks, rivets, cotters, cotter pins, washers (including spring washers) and similar articles, of iron or steel</i>

Amendment 41

Proposal for a regulation
Annex - row 9 b (new)

Text proposed by the Commission

Amendment

**8201/ 8202/
8203/ 8205/
8207/ 8208/
8209/ 8211/
8212/ 8213/
8214/ 8215**

Tools, implements

9307

***Swords, cutlasses, bayonets,
lances and similar arms and
parts thereof and scabbards
and sheaths therefor***

Amendment 42

Proposal for a regulation
Annex row 9 c (new)

Text proposed by the Commission

Amendment

CN
Code Description

CN
Code Description

8481

***Taps, cocks, valves and similar
appliances for pipes, boiler shells,
tanks, vats or the like, including
pressure-reducing valves and
thermostatically controlled valves***

Amendment 43

Proposal for a regulation
Annex - row 9 d (new)

Text proposed by the Commission

Amendment

83022000

***Castors with mountings of
base metal***

87169090

***Parts of trailers, semi-trailers
and other vehicles, not
mechanically propelled, n.e.c***

84312000

***Parts of machines, appliances
and instruments of heading
8427, n.e.c***

40119200	<i>New pneumatic tyres, of rubber, of a kind used on agricultural or forestry vehicles and machines (excluding those having a herring-bone or similar tread)</i>
40139000	<i>Inner tubes, of rubber (excluding those of a kind used on motor cars, including station wagons and racing cars, buses, lorries and bicycles)</i>

Amendment 44

Proposal for a regulation Annex - row 9 e (new)

Text proposed by the Commission

Amendment

9001 30 00	<i>Contact lenses</i>
9001 40 / 9001 40 20/ 9001 40 41/ 9001 40 49/ 9001 40 80	<i>Spectacle lenses of glass</i>
9001 50/ 9001 50 20/ 9001 50 41/ 9001 50 49/9001 50 80/ 9001 90 00	<i>Spectacle lenses of other materials</i>
9003/ 9003 11 00/ 9003 19/ 9003 19 10/ 9003 19 30/9003 19 90/ 9003 90 00	<i>Frames and mountings for spectacles, goggles or the like, and parts thereof</i>
9004/ 9004 10/ 9004 10 10/ 9004 10 91/ 9004 10 99/9004 90/ 9004 90 10/ 9004 90 90	<i>Spectacles, goggles and the like, corrective, protective or other</i>

EXPLANATORY STATEMENT

The European Union's main trading partners and competitors have for some considerable time been applying within their territories rules requiring denomination of origin for manufactured goods from outside it. The purpose is to inform consumers accurately so that they can exercise freedom of choice in the purchases they make.

Knowledge is the very foundation of democracy, and knowledge is freedom: knowing where a product comes from is therefore an issue concerning the application of the rules of democracy, which must also be applied to trade, albeit while doing as much as possible to ensure that there are clear rules which manufacturers also endorse, in order to maintain free markets. In a globalised marketplace, the rules serve as a guarantee to all that they can have access to that market, compete and therefore continue to produce.

In a globalised market, manufacturers still have an extremely important role to play, not only in developing countries but also in developed and industrialised countries, and manufacturing is the prime sector in which a lack of shared rules can give rise to enormous employment problems, thus delaying or halting development. For many years the European Parliament has clearly expressed its desire to place consumers, and consumer rights, at the centre of political and commercial decision-making, and it has also on a number of occasions pointed to the need to put European businesses on an equal footing with businesses in large countries outside the EU. Tariff barriers alone cannot provide a defence against global market distortions: rules are also necessary to make the global market fulfil more effectively its function, which is to boost development in the world and make it more homogeneous.

European consumers have a right to know where the products that they buy come from: in other words, they have the same rights as citizens and consumers in major countries elsewhere. One of the world's leading democracies and our largest trading partner, the United States, has guaranteed its people the right to this knowledge, thus permitting them to make well-informed purchasing decisions, since 1930 for all products entering its territory, and the same principle applies in other major democracies such as Canada, Japan and India, and also in countries whose concept of democracy is not the same as ours: Saudi Arabia protects its consumers by requiring all goods entering its territory to bear an indication of origin.

For consumers in the European Union this regulation means that they will finally enjoy the same rights as millions of other consumers around the world, albeit for a limited number of categories of goods, and in a context where there are various conflicting interests we have a duty to protect our consumers, disregarding the interests of large distributors or particular lobby groups.

In 2005, after a series of studies, the Commission submitted a proposal for a regulation on the indication of the country of origin of certain products imported from third countries. Due to various circumstances - probably including an insufficient awareness of the scope of the problem which the regulation was intended to address - the Council has not yet adopted a common position. On the other hand the European Parliament has several times referred to the need to have rules which would result in Europe adopting rules which could at last place our producers and consumers on an equal footing with those in our main trading partners. Reference may be made to Written Declaration P6_TA(2007)0599 adopted during the

previous parliamentary term, the report of 2008 on enhancing the role of European SMEs in international trade (INI/2008/2205), the report on the impact of counterfeiting on international trade (INI/2008/2133) and the resolution of November 2009 on the Regulation on the compulsory indication of the country of origin of certain products imported from third countries (B7-0145/2009).

Clearly it is the European Union rather than the Member States which has the power to legislate on trade, and under the Lisbon Treaty, with codecision, it is the European Parliament which, together with the Council, has the power/duty to solve the numerous problems in the sector of international trade, which is vital not only to the economy but also to European policy. At such times as those which we are passing through, when the need has been demonstrated to restore to the real economy primacy over virtual finance, which has caused so many disasters, it is becoming more urgent than ever for the Union to have clear regulations concerning the denomination of origin of products from outside the EU.

Naturally the Union is bound to respect the rules of the World Trade Organisation, and the WTO has accepted as legitimate the rules on denomination of origin in force in other countries: thus manufacturers in countries outside Europe have for a long time had to label their products to indicate their origin if they wished to export to Canada, Mexico, China, the United States, India and Japan, so that there is nothing to prevent them from also attaching origin labels to products which they export to the European Union.

The proposal published by the Commission in 2005 is still topical, although of course dated in certain respects. For example, the parts need to be deleted which refer to countries which have now acceded to the EU, and account needs to be taken of any particular agreements already in existence or in preparation. It will also be necessary to debate whether or not to devote specific attention to particular trading areas which have special relations with the EU (e.g. the Euro-Mediterranean countries).

The Explanatory Memorandum states that in due course 'other sectors could be interested in joining the origin marking scheme' and that the Commission is therefore entitled 'to include or to suppress sectors' in the regulation. We are firmly convinced that any change requires debate and approval by the European Parliament, because any fresh insertion or deletion would have political, economic and social implications on which Parliament under codecision has the right and duty to express its opinion.

It should also be noted that there is a need to clarify and define more precisely the procedures by means of which Member States may penalise those who infringe the rules. As it stands, the proposal seems to us to fall too short of the minimum level of harmonisation which is required within the European Union, albeit of course with all due respect for the autonomy and powers of the Member States. EU territory whose borders are open cannot have excessively different rules on punishment for the same offence within the commercial sector, a sector where virtually exclusive competence is vested in the Union.

The list of manufactured products given in the proposal for a regulation obviously omits various products which it might in future be necessary to insert in the list, once it has been verified that the Regulation is functioning well. It is extremely important that any amendment should be debated and accepted by Parliament. This is a problem which can be tackled in future debates. However, what Parliament urgently needs to do now is, after so many years, to

give a specific reply to consumers in the form of provision for more information.

Information is a resource which promotes safety, and the reliability of information is important in order to give European consumers certain knowledge. It should be borne in mind that in 2005, when the list of product categories was being drafted, at least one category was forgotten which should be inserted in the interests of safety. The category in question is fasteners – i.e. all those components which, if duly monitored and marked with an indication of origin, can give consumers an assurance that anything from a bridge to a domestic appliance is safe.

Preventing all types of accident and guaranteeing the safety of citizens are not optional, and the origin marking of these types of products should have been proposed from the outset.

For the purpose of applying origin marking it is sufficient to adhere to rules in force in countries outside Europe where regulation already exists. Such rules could actually boost exports from developing countries, as European consumers are disposed to help less industrialised countries; in the same way, origin marking will also make it possible to defend artisans or small businesses currently being crushed by multinationals, which by imitating their products depress consumption of the real thing.

The European Parliament, which has always stood up for diversity, in defence of the cultures and traditions of individual countries, regards the Regulation on compulsory origin labelling as being, on the one hand, an instrument to increase clarity, placing European consumers on an equal footing with the consumers of our trading partners, and on the other hand a way of developing trade relations and traditional economies more satisfactorily.

European manufacturers are, rightly, required to comply with various strict rules on the manufacture of their products. Standards which maintain consumer safety, respect for the environment, protection of health. These rules represent considerable progress which the Union has made, but precisely for this reason, it is necessary to know whether goods entering the European Union possess the same characteristics as ours: therefore knowing where they have come from ensures that consumers have the information which they have a right to be given in order to make choices. Marking will also promote greater harmonisation of customs controls at the EU's borders and render more clear and transparent any other inspections that regional or local authorities might have to perform on goods which are offered for sale.

PROCEDURE

Title	Indication of the country of origin of certain products imported from third countries		
References	COM(2005)0661 – C7-0048/2010 – 2005/0254(COD)		
Date submitted to Parliament	1.3.2010		
Committee responsible Date announced in plenary	INTA 21.4.2010		
Committee(s) asked for opinion(s) Date announced in plenary	IMCO 17.6.2010		
Not delivering opinions Date of decision	IMCO 13.7.2010		
Rapporteur(s) Date appointed	Cristiana Muscardini 17.3.2010		
Discussed in committee	28.4.2010	22.6.2010	14.7.2010
Date adopted	29.9.2010		
Result of final vote	+: 19	–: 2	0: 2
Members present for the final vote	William (The Earl of) Dartmouth, Laima Liucija Andrikienė, Kader Arif, Daniel Caspary, Christofer Fjellner, Metin Kazak, David Martin, Emilio Menéndez del Valle, Cristiana Muscardini, Niccolò Rinaldi, Tokia Saifi, Helmut Scholz, Peter Šťastný, Robert Sturdy, Gianluca Susta, Keith Taylor, Iuliu Winkler, Pablo Zalba Bidegain, Paweł Zalewski		
Substitute(s) present for the final vote	George Sabin Cutaş, Syed Kamall, Miloslav Ransdorf, Matteo Salvini, Jarosław Leszek Wałęsa		
Substitute(s) under Rule 187(2) present for the final vote	Franziska Keller, Francesco Enrico Speroni		