



**2023/0369(COD)**

29.1.2024

# **AMENDMENTS**

## **6 - 16**

**Draft report**  
**Ivan Vilibor Sinčić**  
(PE757.100v01-00)

Amending Directives 1999/2/EC, 2000/14/EC, 2011/24/EU and 2014/53/EU as regards certain reporting requirements in the fields of food and food ingredients, outdoor noise, patients' rights, and radio equipment

Proposal for a directive  
(COM(2023)0639 – C9-0381/2023 – 2023/0369(COD))



**Amendment 6**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 1**

*Text proposed by the Commission*

(1) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. However, it is important to streamline those requirements, in order to ensure that **they fulfil** the purpose for which they were intended and to limit the administrative burden.

*Amendment*

(1) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. However, it is important to streamline those requirements, in order to ensure that **their intensity is proportionate to** the purpose for which they were intended and to limit the administrative burden, **the expansion of which is the subject of recurrent criticism of Union legislation.**

Or. cs

**Amendment 7**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 4**

*Text proposed by the Commission*

(4) In accordance with Article 7(3) of Directive 1999/2/EC, Member States are to report annually to the Commission the results of official checks that they have carried out in ionising irradiation facilities and checks carried out at the product marketing stage. Article 7(4) of Directive 1999/2/EC provides that the Commission is to publish in the Official Journal of the European Union a report based on the information provided every year by Member States. Articles 113 and 114 of Regulation (EU) 2017/625 of the European Parliament and of the Council<sup>18</sup> provide that that each Member State is to submit to the Commission, by 31 August every year, a report setting out the outcome of official controls performed in the previous year

*Amendment*

(4) In accordance with Article 7(3) of Directive 1999/2/EC, Member States are to report annually to the Commission the results of official checks that they have carried out in ionising irradiation facilities and checks carried out at the product marketing stage. Article 7(4) of Directive 1999/2/EC provides that the Commission is to publish in the Official Journal of the European Union a report based on the information provided every year by Member States. Articles 113 and 114 of Regulation (EU) 2017/625<sup>18</sup> of the European Parliament and of the Council provide that that each Member State is to submit to the Commission, by 31 August every year, a report setting out the outcome of official controls performed in the

under its multi-annual national control plan ('MANCP'). The MANCP covers, inter alia, the scope of Directive 1999/2/EC. In addition, Article 114 of Regulation (EU) 2017/625 provides that the Commission is to make available every year to the public an annual report on the operation of official controls in Member States taking into account the annual reports submitted by Member States in accordance with Article 113 of that Regulation. Since the annual reporting obligations laid down in Articles 113 and 114 of Regulation (EU) 2017/625 already ensure enforcement and monitoring of legislation on irradiated foods and food ingredients, the similar annual reporting obligation currently laid down in Directive 1999/2/EC should be deleted in order to reduce administrative burden for competent authorities and the Commission.

previous year under its multi-annual national control plan ('MANCP'). The MANCP covers, inter alia, the scope of Directive 1999/2/EC. In addition, Article 114 of Regulation (EU) 2017/625 provides that the Commission is to make available every year **by 31 January** to the public an annual report on the operation of official controls in Member States taking into account the annual reports submitted by Member States in accordance with Article 113 of that Regulation. Since the annual reporting obligations laid down in Articles 113 and 114 of Regulation (EU) 2017/625 already ensure **adequate** enforcement and monitoring of legislation on irradiated foods and food ingredients, the similar annual reporting obligation currently laid down in Directive 1999/2/EC should be deleted in order to reduce administrative burden for **the Member States'** competent authorities and the Commission.

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<sup>18</sup> Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (OJ L 95, 7.4.2017, p. 1).

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<sup>18</sup> Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (OJ L 95, 7.4.2017, p. 1).

Or. cs

## **Amendment 8** **Stanislav Polčák**

### **Proposal for a directive** **Recital 5**

#### *Text proposed by the Commission*

(5) In accordance with Article 16 of Directive 2000/14/EC, manufacturers, or their authorised representatives, are to send a copy of the EC declaration of conformity for equipment for use outdoors falling

#### *Amendment*

(5) In accordance with Article 16 of Directive 2000/14/EC, manufacturers, or their authorised representatives, are to send a copy of the EC declaration of conformity for **each type of** equipment for use

within the scope of that Directive to the Member States' authorities and to the Commission. The Commission is to collect the data and publish relevant information periodically.

outdoors falling within the scope of that Directive to the Member States' authorities and to the Commission. The Commission is to collect the data and publish relevant information periodically, **and preferably on an annual basis.**

Or. cs

## **Amendment 9** **Stanislav Polčák**

### **Proposal for a directive** **Recital 6**

*Text proposed by the Commission*

(6) Consumers can find the relevant information regarding the noise emissions of equipment covered by Directive 2000/14/EC directly on the equipment, as Article 4(1) of that Directive provides for a mandatory noise marking on the equipment. Therefore, the obligations on **Member States** and the Commission laid down in Article 16 of Directive 2000/14/EC to provide documentation and to collect and publish data are superfluous and should, in the interest of rationality and in order to limit the administrative burden of companies and of authorities, be deleted.

*Amendment*

(6) Consumers can find the relevant information regarding the noise emissions of equipment covered by Directive 2000/14/EC directly on the equipment, as Article 4(1) of that Directive provides for a mandatory noise marking on the equipment. Therefore, the obligations on **manufacturers, or their authorised representatives**, and the Commission laid down in Article 16 of Directive 2000/14/EC to provide documentation and to collect and publish data are superfluous and should, in the interest of rationality and in order to limit the administrative burden of companies and of authorities, be deleted.

Or. cs

## **Amendment 10** **Stanislav Polčák**

### **Proposal for a directive** **Recital 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**(7a) In accordance with Article 20(1) of Directive 2000/14/EC, the Commission is to submit to the European Parliament and**

*to the Council a report on its experience in the implementation and administration of this Directive every four years. In order to reduce the administrative burden on the Commission, it is appropriate to change the reporting frequency to every five years. Considering that the most recent report on the operation of Directive 2000/14/EC was published in 2020, the next report should be published in 2025.*

Or. cs

**Amendment 11**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 8**

*Text proposed by the Commission*

(8) In accordance with Article 20(1) of Directive 2011/24/EU, the Commission is to submit to the European Parliament and to the Council a report on the operation of that Directive every three years. That report heavily draws on the reporting and contributions of national competent authorities. The European Reference Networks established under Directive 2011/24/EU are to be evaluated every five years as set out in Article 14(1) of Commission Implementing Decision 2014/287/EU<sup>19</sup>. In order to align the reporting and evaluation requirements and to reduce the administrative burden for the Commission and for the Member States ***that are requested*** to provide ***information on the implementation of Directive 2011/24/EU***, the frequency of the reporting by the Commission should be changed to every five years. Considering that the most recent report on the operation of Directive 2011/24/EU was published in 2022, the next report should be published in 2027.

*Amendment*

(8) In accordance with Article 20(1) of Directive 2011/24/EU, the Commission is to submit to the European Parliament and to the Council a report on the operation of that Directive every three years. That report heavily draws on the reporting and contributions of national competent authorities. The European Reference Networks established under Directive 2011/24/EU are to be evaluated every five years as set out in Article 14(1) of Commission Implementing Decision 2014/287/EU<sup>19</sup>. In order to align the reporting and evaluation requirements and to reduce the administrative burden for the Commission and for the Member States, ***which are required under Article 20(2) of Directive 2011/24/EC*** to provide ***the Commission with assistance and all available information for preparing the reports***, the frequency of the reporting by the Commission should be changed to every five years. Considering that the most recent report on the operation of Directive 2011/24/EU was published in 2022, the next report should be published in 2027.

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<sup>19</sup> Commission Implementing Decision 2014/287/EU of 10 March 2014 setting out criteria for establishing and evaluating European Reference Networks and their Members and for facilitating the exchange of information and expertise on establishing and evaluating such Networks (OJ L 147, 17.5.2014, p. 79).

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<sup>19</sup> Commission Implementing Decision 2014/287/EU of 10 March 2014 setting out criteria for establishing and evaluating European Reference Networks and their Members and for facilitating the exchange of information and expertise on establishing and evaluating such Networks (OJ L 147, 17.5.2014, p. 79).

Or. cs

## **Amendment 12**

### **Stanislav Polčák**

#### **Proposal for a directive**

##### **Recital 9**

###### *Text proposed by the Commission*

(9) In accordance with Article 47(1) of Directive 2014/53/EU, Member States are to submit to the Commission regular reports on the application of that Directive at least every two years. The frequency of that mandatory reporting is higher than necessary. In the interest of rationality and in order to limit the administrative burden of Member States, the frequency of the mandatory reporting by Member States should be changed to every five years, so that it corresponds to the Commission's obligation under Article 47(2) of Directive 2014/53/EU to report to the European Parliament and to the Council on the operation of that Directive. ***This*** will also provide the Commission with the information necessary for the assessment it is to carry out when adopting delegated acts under Article 5(2) of Directive 2014/53/EU specifying which categories of radio equipment are concerned by the registration requirement ***and allow the Commission to use the information from Member States' reports more efficiently.***

###### *Amendment*

(9) In accordance with Article 47(1) of Directive 2014/53/EU, Member States are to submit to the Commission regular reports on the application of that Directive at least every two years. The frequency of that mandatory reporting is higher than necessary. In the interest of rationality and in order to limit the administrative burden of Member States, the frequency of the mandatory reporting by Member States should be changed to every five years, so that it corresponds to the Commission's obligation under Article 47(2) of Directive 2014/53/EU to report to the European Parliament and to the Council on the operation of that Directive. ***These reports*** will also provide the Commission with the information necessary for the assessment it is to carry out when adopting delegated acts under Article 5(2) of Directive 2014/53/EU specifying which categories of radio equipment are concerned by the registration requirement.

Or. cs

**Amendment 13**  
**Bas Eickhout**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 1999/2/EC  
Article 7, paragraph 3

*Text proposed by the Commission*

3. Each Member State shall forward to the Commission the names, addresses and reference numbers of the irradiation facilities which it has approved, the text of the approval document, and any decision suspending or withdrawing approval.;

*Amendment*

3. Each Member State shall forward to the Commission the names, addresses and reference numbers of the irradiation facilities which it has approved, the text of the approval document, and any decision suspending or withdrawing approval.

***Furthermore, Member States that submit the results of checks carried out in the ionising irradiation facilities in accordance with Article 113 of Regulation (EU) 2017/625 shall, in particular, specify them with a view to the categories and quantities of products treated and the doses administered, and shall also include the results of checks carried out at the product marketing stage;***

Or. en

**Amendment 14**  
**Stanislav Polčák**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1**  
Directive 1999/2/EC  
Article 7(1)

*Text proposed by the Commission*

3. Each Member State shall forward to the Commission the names, addresses and reference numbers of the irradiation facilities which it has approved, the text of the approval document, and any decision suspending or withdrawing approval.;

*Amendment*

3. Each Member State shall, ***without undue delay***, forward to the Commission the names, addresses and reference numbers of the irradiation facilities which it has approved, the text of the approval document, and any decision suspending or



withdrawing approval;

Or. cs

**Amendment 15**  
**Stanislav Polčák**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2**  
Directive 1999/2/EC  
Article 7(3)

*Text proposed by the Commission*

4. On the basis of the data supplied in accordance with paragraph 3, the Commission shall publish in the Official Journal of the European Union the details of the facilities as well as any changes in their status..

*Amendment*

4. On the basis of the data supplied in accordance with paragraph 3, the Commission shall publish in the Official Journal of the European Union the details of the facilities as well as any changes in their status, ***without undue delay, after becoming aware of such changes following the notification by the Member State pursuant to paragraph 3.***

Or. cs

**Amendment 16**  
**Stanislav Polčák**

**Proposal for a directive**  
**Article 2 – paragraph 1 – point 2 a (new)**  
Directive 2007/2/EC  
Article 20(1), subparagraph 1

*Text proposed by the Commission*

*Amendment*

***2(a) in Article 20(1), the first subparagraph is replaced by the following:***

***'The Commission shall by 31 December 2025, and subsequently every five years thereafter, draw up a report on the operation of this Directive and submit it to the European Parliament and to the Council. The report shall in particular***

*contain:'*

Or. cs