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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.3.2009
COM(2009) 145 final

2006/0136 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the
proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL**

concerning the placing of plant protection products on the market

AMENDING THE PROPOSAL OF THE COMMISSION pursuant to Article 250 (2) of the
EC Treaty

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1. INTRODUCTION

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the amendments proposed by Parliament.

2. BACKGROUND

Date of transmission of the proposal to the EP and the Council (document COM(2006)388 final – 2006/0136/COD):	18 July 2006
Date of the opinion of the European Economic and Social Committee:	31 May 2007
Date of the opinion of the Committee of the Regions	13 February 2007
Date of the opinion of the European Parliament, first reading:	23 October 2007
Date of transmission of the amended proposal:	11 March 2008
Date of political agreement	23 June 2008
Date of adoption of the common position:	15 September 2008
Date of the opinion of the European Parliament (Second Reading)	13 January 2009

3. PURPOSE OF THE PROPOSAL

The proposed Regulation would replace the existing legislation on the placing on the market of plant protection products (Council Directive 91/414/EEC), thoroughly revising the procedures for the safety evaluation of active substances and plant protection products. However, it keeps the two steps procedure of the Directive:

- Approval of active substances at EU level
- Authorisation of plant protection products, containing approved substances, by Member States.

For simplification, it would also repeal Council Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances. The main aim of the proposal is to maintain a high level of protection for humans, animals and the environment; to reduce the administrative burdens of the present approval and authorisation procedures and to achieve a higher level of harmonization.

This proposal should be seen as part of a package together with the Thematic Strategy on the Sustainable Use of Pesticides and the proposal for a Framework Directive, which fills a legal gap in the use phase of pesticides, as well as a proposal for a Regulation on the collection of statistics regarding the placing on the market and the use of plant protection products.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

The EP voted in second reading a consolidated text which contains a number of amendments to the text of the Common Position. The text is the result of negotiations between the Council, the EP and the Commission. All amendments are mainly of technical nature and are in line with and strengthen the key principles of the initial proposal.

The Commission accepts all the amendments voted by the EP. The outcome of the second reading in the EP was very satisfactory.

5. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.