

Tuesday 15 January 2008

Amendment of Directive 95/50/EC (implementing powers conferred on the Commission) *I**

P6_TA(2008)0002

European Parliament legislative resolution of 15 January 2008 on the proposal for a directive of the European Parliament and of the Council amending Directive 95/50/EC as regards the implementing powers conferred on the Commission (COM(2007)0509 — C6-0278/2007 — 2007/0184(COD))

(2009/C 41 E/15)

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0509),
 - having regard to Article 251(2) and Article 71 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0278/2007),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A6-0506/2007),
1. Approves the Commission proposal;
 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 and Commission.

Abolition of discrimination in transport rates and conditions *I**

P6_TA(2008)0003

European Parliament legislative resolution of 15 January 2008 on the proposal for a regulation of the European Parliament and of the Council amending Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community and Regulation (EC) No 852/2004 of the European Parliament and the Council on the hygiene of foodstuffs — transport aspects (COM(2007)0090 — C6-0086/2007 — 2007/0037A(COD))

(2009/C 41 E/16)

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0090),
- having regard to Article 251(2) and Articles 75(3), 95 and 152(4)(b) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0086/2007),

Tuesday 15 January 2008

- having regard to the decision by the Conference of Presidents on 5 July 2007 to authorise the Committee on the Environment, Public Health and Food Safety and the Committee on Transport and Tourism to draw up one legislative report each on the basis of the abovementioned Commission proposal,
 - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
 - having regard to Rules 51 and 35 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A6-0513/2007),
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

TITLE

Regulation **of the European Parliament and** of the Council amending Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community **and Regulation (EC) No 852/2004 of the European Parliament and the Council on the hygiene of foodstuffs**

Council Regulation amending Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community

Amendment 2

CITATION 1

Having regard to the Treaty establishing the European Community, and in particular Article 75(3), **Article 95 and Article 152(4)(b)** thereof,

Having regard to the Treaty establishing the European Community, and in particular Article 75(3) thereof,

Amendment 3

CITATION 5

Acting in accordance with the procedure laid down in Article 251 of the Treaty, ~~deleted~~

Amendment 4

RECITAL 3

(3) Article 5(1) of Regulation (EC) No 852/2004 requires that all food business operators put in place, implement and maintain a procedure based on the Hazard Analysis Critical Control Point (HACCP) principles. ~~deleted~~

Tuesday 15 January 2008

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 5

RECITAL 4

(4) Experience has shown that in certain food businesses, food hygiene can be ensured by the correct implementation of the food hygiene requirements laid down in Regulation (EC) No 852/2004 without having recourse to the HACCP system. The businesses concerned are in particular small businesses predominantly selling their products directly to the final consumer, such as bakeries, butchers, grocery shops, market stalls, restaurants, and bars, which are micro-enterprises within the meaning of Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises. *deleted*

Amendment 6

RECITAL 5

(5) It is appropriate therefore to provide an exemption to those businesses from the requirement of Article 5(1) of Regulation (EC) No 852/2004, it being understood that they must comply with all the other requirements of that Regulation. *deleted*

Amendment 7

RECITAL 6

(6) As the amendment of Regulation (EC) No 852/2004 and that of Regulation No 11 have the common aim of reducing administrative burdens on businesses, without changing the underlying purpose of those Regulations, it is appropriate to combine these amendments in a single Regulation *deleted*

Amendment 8

ARTICLE 2

Article 5(3) (Regulation (EC) No 852/2004)

Article 2

deleted

In Article 5(3) of Regulation (EC) No 852/2004, the following sentence is added:

Without prejudice to the other requirements of this Regulation, paragraph 1 shall not apply to businesses which are micro-enterprises within the meaning of Commission Recommendation 2003/361/EC of 6 May 2003 and the activities of which consist predominantly in the direct sale of food to the final consumer.