



**CONSIGLIO
DELL'UNIONE EUROPEA**

**Bruxelles, 30 aprile 2010 (04.05)
(OR.en)**

9197/10

**Fascicolo interistituzionale:
2009/0116 (COD)**

**CODEC 379
PECHE 82**

NOTA PUNTO "I"

del: Gruppo "Politica esterna della pesca"
al: Comitato dei Rappresentanti permanenti (Parte prima) / Consiglio

n. doc. prec.: 14455/4/09 REV 4 PECHE 279
n. prop. Comm: 12686/09 PECHE 203 - COM(2009) 406 definitivo

Oggetto: Proposta di regolamento del Consiglio che istituisce un programma di documentazione delle catture di tonno rosso (*Thunnus thynnus*) e modifica il regolamento (CE) n. 1984/2003
– Esito dei contatti con il Parlamento europeo e conferma del compromesso finale in vista di un accordo

1. Il 3 agosto 2009, la Commissione ha prentato al Consiglio una proposta di regolamento del Consiglio che istituisce un programma di documentazione delle catture di tonno rosso (*Thunnus thynnus*) e modifica il regolamento (CE) n. 1984/2003.
2. Il 4 settembre 2009, il Consiglio ha chiesto il parere del Parlamento europeo. Alla data di entrata in vigore del trattato di Lisbona, il 1° dicembre 2009, il Parlamento europeo non aveva ancora reso il suo parere e la proposta dovrà pertanto essere adottata secondo la procedura legislativa ordinaria ("codecisione").

3. Il 7 aprile 2010, la commissione per la pesca del Parlamento europeo ha votato la sua relazione concernente la proposta. La relazione è quindi stata esaminata il 15 aprile 2010 dal Gruppo "Politica interna ed esterna della pesca" e, il 28 aprile 2010, hanno avuto luogo contatti informali tra Consiglio, Parlamento europeo e Commissione, dai quali è emerso un accordo sul testo modificato riportato nell'allegato 1¹ e sulle dichiarazioni riportate nell'allegato 2.
4. Tenuto conto di quanto precede, il COREPER è invitato a:
- confermare l'accordo emerso dai contatti informali con il Parlamento europeo e la Commissione; e
 - autorizzare la Presidenza ad inviare una lettera al Parlamento europeo in cui si dichiara che se la plenaria del Parlamento europeo dovesse adottare il testo modificato del progetto di regolamento esattamente nella forma figurante nell'allegato della presente nota, comprese le dichiarazioni, il Consiglio adotterà il regolamento secondo la proposta della Commissione modificata dal Parlamento, fatta salva la messa a punto preliminare del testo da parte dei giuristi-linguisti.

¹ Il testo in grassetto indica le modifiche della proposta della Commissione che sono state approvate.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND THE COUNCIL
(amendment 1)

of [...]

**establishing a catch documentation programme for bluefin tuna *Thunnus thynnus* and
amending Regulation (EC) No 1984/2003**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty **on the Functioning of the European Union** and in particular Article **43(2)** thereof¹, (**amendment 2**)

Having regard to the proposal from the Commission²,

[...] (**amendment 3**)

Having regard to the opinion of the Economic and Social Committee³, (**amendment 4**)

Acting in accordance with the procedure laid down in Article 294 of the Treaty on the
Functioning of the European Union⁴, (**amendment 5**)

Whereas:

¹ OJ C [...], [...], p. [...].

² OJ C [...], [...], p. [...].

³ OJ C [...], [...], p. [...].

⁴ OJ C [...], [...], p. [...].

- (1) The **Union** is a contracting party to the United Nations Convention of 10 December 1982 on the Law of the Sea approved by Decision 98/392/EC¹, the Agreement on the implementation of the provisions of that Convention relating to the conservation and management of straddling stocks and highly migratory fish stocks ratified by Decision 98/414/EC² and the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas accepted by Decision 96/428/EC³. In that framework of international obligations, the **Union** participates in efforts made to ensure sustainable management of highly migratory fish stocks.
- (2) The **Union** has been a contracting party to the International Convention for the Conservation of Atlantic Tunas pursuant to Decision 86/238/EEC⁴. This Convention provides for a framework for regional cooperation on the conservation and management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas through an International Commission for the Conservation of Atlantic Tunas (ICCAT), and for the adoption of recommendations in the Convention area which become binding on the contracting parties and non-contracting cooperating parties (CPCs).
- (3) The ICCAT Recommendations 1992-01, 1993-03, 1996-10, 1997-04, 1998-12, 03-19 and 06-15 and the resolutions 1993-02, 1994-04 and 1994-05 on a statistical document programme for bluefin tuna have been implemented by Council Regulation (EC) No 1984/2003 of 8 April 2003 introducing a system for the statistical monitoring of trade in bluefin tuna, swordfish and bigeye tuna within the **Union**⁵.
- (4) As part of the measures to regulate stocks of bluefin tuna, improve the quality and reliability of statistical data and in order to prevent, deter and eliminate illegal fishing, the ICCAT has adopted at its annual meeting in **Recife (Brazil), on 15 November 2009**, the Recommendation **09-11** amending Recommendation **08-12** on an ICCAT bluefin tuna catch documentation programme. Since this Recommendation **will enter** into force on **1 June 2010**, it needs to be implemented by the **Union**. (**amendment 6**)

¹ OJ L 179, 23.6.1998, p. 1.

² OJ L 189, 3.7.1998, p. 14.

³ OJ L 177, 16.7.1996, p. 24.

⁴ OJ L 162, 18.6.1986, p. 33.

⁵ OJ L 295, 13.11.2003, p. 1.

- (5) In order to ensure that the provisions on an ICCAT bluefin tuna catch documentation programme are easily readable and applied uniformly, the relevant provisions of Regulation (EC) No 1984/2003 related to ICCAT bluefin tuna statistical document and re-export certificate should be deleted.
- (5a) The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union in respect of the transposition of new conservation measures adopted by ICCAT, thus updating and supplementing the annexes to this Regulation. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at experts' level. (amendment 7)**
- (6) Regulation (EC) No 1984/2003 should, therefore, be amended accordingly.

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter and scope

This Regulation establishes a **Union** bluefin tuna catch documentation programme in order to support the implementation of conservation and management measures adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT), **incorporating the provisions of the ICCAT bluefin tuna catch documentation programme with a view to identifying the origin of all bluefin tuna. (amendment 8)**

Article 2

Definitions

For the purpose of this Regulation, the following definitions shall apply:

- (a) "Bluefin tuna": means fish of the species *Thunnus thynnus* falling within the codes listed in Annex I;
- (b) "Domestic trade" means:
- (i) trade, **in one Member State or between two or more Member States, in** bluefin tuna caught in the ICCAT Convention area by a **Union** catching vessel or trap, which is landed in the territory of the **Union**; and **(amendment 9)**
 - (ii) trade, **in one Member State or between two or more Member States, in** farmed bluefin tuna caught in the ICCAT Convention area by a **Union** catching vessel, which is **caged in a farm established in the territory of the Union**; **(amendment 10)**
- [...] (amendment 11)**
- (c) "Export": means any movement to a third country of bluefin tuna caught in the ICCAT Convention area by a **Union** catching vessel or trap, including from the territory of the **Union**, from third countries or from fishing grounds;
- (d) "Import": means the introduction into the territory of the **Union**, including for caging, fattening, farming or transshipment purposes, of bluefin tuna caught in the ICCAT Convention area by a third country catching vessel or trap;
- (e) "Re-export": means any movement from the territory of the **Union** of bluefin tuna which had been previously imported into the territory of the **Union**;
- (f) "Convention area": means the area determined by International Convention for the Conservation of Atlantic Tunas approved by Decision 86/238/EEC;
- (g) "Flag Member State" means the Member State where the catching vessel is flagged;
- (h) "Trap Member State" means the Member State where the trap is established;
- (i) "Farm Member State" means the Member State where the farm is established;

- (j) "CPCs" means contracting parties, cooperating non-contracting Parties, entities and fishing entities;
- (ja) "Lot" means a quantity of bluefin tuna products of the same presentation and originating in the same relevant geographical area and the same fishing vessel, or group of fishing vessels, or the same trap. **(amendment 15)**

CHAPTER II

BLUEFIN TUNA CATCH DOCUMENT

Article 3

General provisions

1. Member States shall require a completed bluefin tuna catch document (hereinafter referred to as "catch document") for each bluefin tuna landed **or transhipped** at its ports, **caged as specified in Annex IIIa**, and harvested from its farms. **(amendment 16)**
2. Each **lot** of bluefin tuna domestically traded, imported into or exported or re-exported from the territory of the **Union** shall be accompanied by a validated catch document, except in cases where Article 4 paragraph 3 applies and, as applicable, an ICCAT transfer declaration or a validated bluefin tuna re-export certificate (referred to as "re-export certificate"). **(amendment 17)**

Any such landing, **transshipment**, **caging**, harvest, domestic trade, import, export or re-export of bluefin tuna without a completed and validated catch document **and, where applicable**, **also** a re-export certificate shall be prohibited. **(amendment 18)**

3. Member States shall not place bluefin tuna into a farm not authorised by the Member State or contracting parties, cooperating non-contracting Parties, entities and fishing entities (CPCs) or not listed in the ICCAT record of farming facilities authorised to operate for farming of bluefin tuna caught in the ICCAT Convention area. **(amendment 19)**
- 3a. Farm Member States shall ensure that bluefin tuna catches are placed in separate cages or series of cages and partitioned on the basis of the Member State or CPC of origin. (amendment 20)**
- 3b. By way of derogation to Article 3a, farm Member States shall ensure that bluefin tuna caught in the context of a joint fishing operation are placed in separate cages or series of cages and partitioned on the basis of joint fishing operations. (amendment 21)**
- 3c. Farm Member States shall ensure that bluefin tuna are harvested from farms in the same year in which they were caught, or before the beginning of the purse seiners fishing period, if harvested in the following year. Where harvesting operations are not completed within that period, farm Member States shall complete and transmit an annual carry-over declaration to the Commission within 10 days of the end of that period. Such declaration shall include:**
- quantities (expressed in kg) and number of fish intended to be carried over,
 - year of catch,
 - size composition,
 - flag Member State or CPC, ICCAT number and name of the catching vessel,
 - references of the catch document corresponding to the catches carried over,
 - name and ICCAT number of the fattening facility,
 - cage number, and
 - information on harvested quantities (expressed in kg), when completed.

The Commission shall forward the declarations to the ICCAT Secretariat within 5 days. (amendment 22)

- 3d. **Quantities carried over in accordance with paragraph 3c shall be placed in separate cages or series of cages in the farm on the basis of the catch year. (amendment 23)**
4. **Flag or trap** Member States shall provide catch document forms only to their catching vessels and traps authorised to fish bluefin tuna in the Convention area, including as by-catch. (amendment 24)
5. Each catch document form shall have a unique document identification number. Document numbers shall be specific to the flag or trap Member State and assigned to each catching vessel or trap. Such forms shall not be transferable to another catching vessel or trap. **Such forms shall not be transferable to another catching vessel or trap. (amendment 25)**
6. Copies of catch documents shall follow each part of split **lots** or processed product, using the unique document number of the original catch document in order to track them. (amendment 26)
7. Domestic trade, export, import and re-export of fish parts other than the meat (i.e. heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Regulation.

Article 4

Validation

1. Catching vessel masters, trap operators, farm operators, sellers, exporters, or their authorised representatives, shall complete a catch document, **if possible electronically**, by providing the required information in appropriate sections and request its validation in accordance with paragraph 2 on each occasion that they land, transfer, **cage**, harvest, tranship, domestically trade or export bluefin tuna. (amendment 27)
2. The catch document shall be validated by a competent authority of the flag, trap or farm Member State or the Member State where the seller or exporter is established. Member States shall validate the catch document for all bluefin tuna only where:
- (a) a catching vessel flies the flag of the Member State or a trap or farm is established in the Member State that harvested the bluefin tuna, (amendment 28)

- (b) all the information contained in the catch document has been established to be accurate as a result of the verification of the **lot, (amendment 29)**
 - (c) the accumulated amounts to be validated are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to catching vessels or traps, and
 - (d) the bluefin tuna complies with the relevant provisions of the ICCAT conservation and management measures.
3. Validation under paragraph 2 shall not be required in the event that all bluefin tuna available for sale are tagged, as referred to in Article 5, by the flag or trap Member State that fished the bluefin tuna. **(amendment 30)**
4. Where the bluefin tuna quantities caught and landed are less than 1 ton or three fish, the **fishing** logbook or the sales note may be used as a temporary catch document, pending the validation of the catch document within seven days and prior to domestic trade or export. **(amendment 31)**
5. A validated catch document shall include, as appropriate, the information set out in Annex II.
6. A catch document model is set out in Annex III. In cases where a section of the catch document model does not provide enough room to completely track movement of bluefin tuna from catch to trade, the needed information section may be expanded as necessary and attached as annex. The competent authority of the Member State shall validate the annex as soon as possible, but not later than the next movement of bluefin tuna.
- 6a. Instructions for the issuing, numbering, completion and validation of the catch document are set out in Annex IV. (amendment 32)**

Article 5

Tagging

1. Member States may require their catching vessels or traps to affix a tag to each bluefin tuna, preferably at the time of kill, but not later than at the time of landing. Tags shall have unique Member State specific numbers and be tamper-proof. The tag numbers shall be linked to the catch document.
2. A summary of implementation of the tagging programme shall be submitted to the Commission by the concerned Member States. **The Commission shall forward the summaries to the ICCAT Secretariat within a reasonable period of time. (amendment 33)**
3. The use of tags shall only be authorised when the accumulated catch amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to vessels or traps.

CHAPTER III

BLUEFIN TUNA RE-EXPORT CERTIFICATE

Article 6

General provisions

1. Member States shall ensure that each bluefin tuna **lot** which is re-exported from their territory be accompanied by a validated re-export certificate. (amendment 34)

In cases where farmed bluefin tuna is imported live, the re-export certificate shall not apply.

2. The operator who is responsible for the re-export shall complete the re-export certificate by providing the required information in its appropriate sections and request its validation for the bluefin tuna **lot** to be re-exported. The completed re-export certificate shall be accompanied by a copy of the validated catch document(s) relating to the bluefin tuna previously imported.
(amendment 35)

Article 7

Re-export validation

1. The re-export certificate shall be validated by the competent authority of the Member State.
2. The competent authority shall validate the re-export certificate for all bluefin tuna product only when:
 - (a) all the information contained in the re-export certificate has been established to be accurate,
 - (b) the validated catch document(s) submitted in support to the re-export certificate had been accepted for the importation of the products declared on the re-export certificate,
 - (c) the products to be re-exported are wholly or partly the same products appearing on the validated catch document(s), and
 - (d) a copy of the catch document(s) is attached to the validated re-export certificate.
3. The validated re-export certificate shall include the information set out in Annex IIIa.

CHAPTER IV
COMMUNICATION AND VERIFICATION

Article 8

Communication and conservation of validated documents

1. Member States shall communicate a copy of all validated catch documents or re-export certificates, except in cases where Article 4(3) applies, as soon as possible and in any case within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than five working days, to the following:
 - (a) the Commission,
 - (b) the competent authorities of the Member State or CPC where the bluefin tuna will be domestically traded, or farmed or imported, and
 - (c) the ICCAT Secretariat.
2. Copies of validated catch documents or re-export certificates referred to in paragraph 1, shall be sent by electronic means, as soon as possible.
3. Member States shall keep copies of the validated catch documents and re-export certificates issued or received for at least two years.

Article 9
Verification

1. Member States shall ensure that their competent authorities identify each **lot** of bluefin tuna landed in, **transhipped in**, domestically traded in, imported into or exported or re-exported from its territory. The competent authorities shall request and examine the validated catch document(s) and related documentation of each **lot** of bluefin tuna. The examination shall include the consultation of the database on validation held by the ICCAT Secretariat. **(amendment 36)**
2. The competent authorities may also examine the content of the **lot** to verify the information contained in the catch document and in related documents and, where necessary, shall carry out verifications with the operators concerned. **(amendment 37)**
3. If, as a result of examinations or verifications carried out pursuant to paragraphs 1 and 2, a doubt arises regarding the information contained in a catch document, Member States shall cooperate with the competent authorities who validated the catch document(s) or re-export certificate(s) to resolve such doubts.
4. If a Member State identifies a **lot** with no catch document, it shall notify the findings to the delivering Member State, or the exporting CPC and, where known, the flag Member State or the flag CPC. **(amendment 38)**
5. Pending the examinations or verifications under paragraphs 1 and 2, Member States shall not grant its release for domestic trade, import or export, nor, in the case of live bluefin tuna destined to farms, accept the transfer declaration.
6. Where a Member State, as a result of examination or verifications pursuant to paragraph 1 and in cooperation with the validating authorities concerned, determines that a catch document or re-export certificate is invalid, the domestic trade, import, export or re-export of the bluefin tuna concerned shall be prohibited.

CHAPTER V
TRANSMISSION OF DATA

Article 10

Information concerning validation and points of contact

1. Member States shall notify to the Commission:
 - (a) **the name and full address of their authorities responsible for validating and verifying catch documents or re-export certificates,**
 - (b) **the name, title and sample impression of stamp or seal of the validating officials who are individually empowered, and**
 - (c) **as appropriate, tag samples. (amendment 39)**
2. The notification shall indicate the date at which this entitlement comes into force. Updated details on validating authorities **and officials** shall be communicated to the Commission in a timely fashion. (amendment 40)
3. Member States shall notify to the Commission the points of contact that should be informed when there are questions related to catch documents or re-export certificates, and in particular, their name.
4. The Commission shall forward promptly this information to the ICCAT Secretariat.

Article 11

Programme annual report

1. Member States shall provide to the Commission by electronic means a programme report, each year by 15 September, covering the period from July 1 of the preceding year to June 30 of the current year including the information set out in **Annex VI. (amendment 41)**

2. The Commission shall establish the **Union** annual programme report and communicate it to the ICCAT Secretariat each year by 1 October.

CHAPTER VI

FINAL PROVISIONS

Article 12

Amendment of Annexes

In order to apply the conservation measures adopted by ICCAT, to which the Union is a contracting party, the Commission may amend, by means of delegated acts in accordance with Article 12a and subject to the conditions set out in Articles 12b and 12c, the annexes to this Regulation. (amendment 42)

When adopting such delegated acts, the Commission shall act in accordance with the provisions of this Regulation. (amendment 43)

Article 12a

Exercise of the delegation

1. **The powers to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for a period of 5 years following the entry into force of this Regulation. The Commission shall make a report in respect of the delegated powers at the latest 6 months before the end of the 5 year period. The delegation of powers shall be automatically extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 12b.**
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 12b and 12c. **(amendment 44)**

Article 12b

Revocation of the delegation

1. The delegation of powers referred to in Article 12 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 powers shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken.
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 45)**

Article 12c

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 that 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 at the date stated therein.
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 46)**

Article 13

[...] (**amendment 47**)

Article 14

Amendments to Regulation (EC) No 1984/2003

1. Regulation (EC) No 1984/2003 is amended as follows:
 - (a) in the title, the words "bluefin tuna" are deleted;
 - (b) in Article 1(a), the words "bluefin tuna (*Thunnus thynnus*)" are deleted;
 - (c) in Article 2, the words "bluefin tuna" are deleted;
 - (d) in Article 3, point (a) is deleted;
 - (e) in Article 4(1), the first indent is deleted;
 - (f) in Article 4(2)(b)(iii), the words "bluefin tuna" are deleted;
 - (g) in Article 5(1), the first indent is deleted;
 - (h) in Article 6(1) second paragraph, point (a) is deleted;
 - (i) in Article 8(a), the words "bluefin tuna" are deleted;
 - (j) in Article 9(2), point (a) is deleted;
 - (k) Annexes I, IVa, IX and XV are **hereby repealed. (amendment 48)**
2. References to the **repealed** provisions of Regulation (EC) No 1984/2003 shall be construed as references to this Regulation. (**amendment 49**)

Article 14a

Review of this Regulation

The Commission shall review this Regulation following the recommendations adopted by ICCAT, taking into account the updated scientific opinions on stocks size which will be submitted at its meetings and shall put forward any amendments that may be necessary. (amendment 50)

Article 15

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

For the Council
The President
[...]

ANNEX I

PRODUCTS REFERRED TO IN ARTICLE 2(a) Goods Description	Code of the Combined Nomenclature¹
Live Bluefin tunas (<i>Thunnus thynnus</i>)	0301 94 00
Bluefin Tunas (<i>Thunnus thynnus</i>), fresh or chilled excluding fillets and other meat	0302 35 10
Bluefin Tunas (<i>Thunnus thynnus</i>), fresh or chilled excluding fillets and other meat other than for the industrial manufacture of prepared or preserved fish	0302 35 90
Whole Bluefin tunas (<i>Thunnus thynnus</i>), frozen, excluding fillets and other meat for the industrial manufacture of prepared or preserved fish	0303 45 11
Bluefin tunas (<i>Thunnus thynnus</i>), frozen, gilled and gutted excluding fillets and other meat for the industrial manufacture of prepared or preserved fish	0303 45 13
Bluefin tunas (<i>Thunnus thynnus</i>), frozen, other than whole or gilled and gutted excluding fillets and other meat for the industrial manufacture of prepared or preserved fish	0303 45 19
Bluefin tunas (<i>Thunnus thynnus</i>), frozen, excluding fillets and other meat other than for the industrial manufacture of prepared or preserved fish	0303 45 90
Fillets of Bluefin tunas (<i>Thunnus thynnus</i>) fresh or chilled	ex 0304 19 39

¹ Annex 1 to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1–675) as last amended by Commission Regulation (EC) No 332/2009 of 23 April 2009 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Customs Tariff (OJ L 104, 24.4.2009, p. 3)

Meat other than fillets of Bluefin tunas (Thunnus thynnus) fresh or chilled	ex 0304 19 39
Fillets and other meat of Bluefin tunas (Thunnus thynnus) frozen	ex 0304 29 45
Other meat of Bluefin tunas (Thunnus thynnus)	ex 0304 99 99
[...] (amendment 51)	
[...] (amendment 51)	
Fillets of Bluefin tunas (Thunnus thynnus), dried, salted or in brine but not smoked	ex 0305 30 90
Smoked Bluefin tunas (Thunnus thynnus) including fillets	ex 0305 49 80
Dried Bluefin tunas (Thunnus thynnus) whether or not salted but not smoked	ex 0305 59 80
Bluefin tunas (Thunnus thynnus) salted but not dried or smoked and in brine	ex 0305 69 80
Bluefin tunas (Thunnus thynnus) whole or in pieces but not minced, prepared or preserved in vegetable oil	ex 1604 14 11
Bluefin tunas (Thunnus thynnus) whole or in pieces but not minced, prepared or preserved other than in vegetable oil fillets known as loins	ex 1604 14 16
Bluefin tunas (Thunnus thynnus) whole or in pieces but not minced, prepared or preserved other than in vegetable oil and other than fillets known as loins	ex 1604 14 18
Bluefin tunas (Thunnus thynnus) other than whole or in pieces but not minced, prepared or preserved	ex 1604 20 70

ANNEX II

DATA TO BE INCLUDED IN BLUEFIN TUNA CATCH DOCUMENT

1. ICCAT Bluefin tuna catch document number

2. Catch Information

Vessel or trap description

Catching vessel or trap name

Flag or trap State

ICCAT Record No of vessels or traps (if applicable)

Catch description

Date, area of catch and gear used

Number of fish, total round weight, and average weight¹ (**amendment 52**)

Tag No. (if applicable)

ICCAT Record No of joint fishing operations (if applicable)

Government validation

Name of authority and signatory, title, [...] signature, seal and date (**amendment 53**)

3. Trade Information for live fish trade (amendment 54**)**

Product description

Total *live* weight, number of fish, area of catch

Exporter/seller information

Point of export or departure [...] (**amendment 55**)

Export company name, address, signature and date

Farm (name and ICCAT No) and State of destination

Description of transportation (relevant documentation to be attached)

¹ **Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g., GG) in the "Total Weight" and "Average Weight" section of the form.**

Importer/buyer information

Point of import or destination

Import company name, address, signature and date of signature

Government validation

Name of authority and signatory, title, [...] signature, seal and date (**amendment 56**)

4. Transfer information

Towing vessel description

ICCAT transfer declaration No

Vessel name, flag

ICCAT Record No. and towing cage number (if applicable)

Number of fishes dead during transfer, total weight

5. Transshipment information

Carrier vessel description

Name

Flag State

ICCAT Record No.

Date

Port (name and country or position)

Product description

(F/FR; RD/GG/DR/FL/OT)

Total weight (NET)

Government validation

Name of authority and signatory, title, [...] signature, seal and date (**amendment 57**)

6. Farming information

Farming facility description

Name, Farm Member State

ICCAT FFB No. and location of farm

Participation in national sampling program (yes or no)

Cage description

Date of caging, cage number

Fish description

Estimates of number of fish, total weight, and average weight¹ (**amendment 58**)

ICCAT Regional Observer information (amendment 58)

Name, **ICCAT number**, signature (**amendment 58**)

Government validation

Name of authority and signatory, title, [...] signature, seal and date (**amendment 58**)

7. Harvest from farms information

Harvesting description

Date of harvest

Number of fish, total (round) weight, and average weight

Tag numbers (if applicable)

ICCAT Regional Observer information (amendment 59)

Name, **ICCAT number**, signature (**amendment 59**)

Estimated size composition (<8 kg, 8-30 kg, >30 kg)

Government validation

Name of authority and signatory, title, [...] signature, seal and date (**amendment 59**)

8. Trade information

Product description

F/FR; RD/GG/DR/FL/OT (when different type of products are recorded in this section, the weight shall be recorded by each product type)

Total weight (NET)

Exporter/Seller information

Point of export or departure

¹ **Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g., GG) in the "Total Weight" and "Average Weight" section of the form.**

Export company name, address, signature and date

State of destination

Description of transportation (relevant documentation to be attached)

Government validation

Name of authority and signatory, title, [...] signature, seal and date (**amendment 60**)

Importer/buyer information

Point of import or destination

Import company name, address, signature and date of signature

ANNEX III (amendment 61)

1. ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD)				N° CC-YY-XXXXXX		1/2	
2. CATCH INFORMATION							
VESSEL/TRAP							
NAME :		FLAG		ICCAT RECORD N°			
CATCH DESCRIPTION							
DATE (ddmmyy)		AREA		GEAR			
N° of FISHES		TOTAL WEIGHT (kg)		AVERAGE WEIGHT (kg)			
TAGS N° (if applicable)						ICCAT RECORD N° of Joint Fishing Operation (if applicable)	
GOVERNEMENT VALIDATION							
NAME OF AUTHORITY						SEAL	
TITLE							
SIGNATURE							
DATE							
3. TRADE INFORMATION FOR LIVE FISH TRADE							
PRODUCT DESCRIPTION							
LIVE WEIGHT (kg)		N° of FISHES		ZONE			
EXPORTER/SELLER							
PT EXPORTATION/ DEPARTURE		COMPANY		ADDRESS			
FARM OF DESTINATION		STATE		ICCAT FFB N°			
SIGNATURE							
DATE							
TRANSPORTATION DESCRIPTION (Relevant documentation to be attached)							
GOVERNEMENT VALIDATION							
NAME OF AUTHORITY						SEAL	
TITLE							
SIGNATURE							
DATE							
IMPORTER/BUYER							
COMPANY				PT IMPORTATION / DESTINATION (city, country, State)			
ADDRESS							
DATE OF SIGNATURE		SIGNATURE					
ANNEX(ES): YES / NO (circle one)							
4. TRANSFER INFORMATION							
TOWING VESSEL DESCRIPTION							
ICCAT TRANSFER DECLARATION N°							
NAME		FLAG		ICCAT RECORD N°			
N° of FISHES DEAD DURING TRANSFER		TOTAL WEIGHT OF DEAD FISH (kg)					
TOWING CAGE DESCRIPTION				CAGE N°			
ANNEX(ES): YES / NO (circle one)							
5. TRANSHIPMENT INFORMATION							
CARRIER VESSEL DESCRIPTION							
NAME		FLAG		ICCAT RECORD N°			
DATE(ddmmyy)		PORT NAME		PORT STATE			
POSITION (LAT/LONG)							
PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product)							
F	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT F (kg)	
FR	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT FR (kg)	
GOVERNEMENT VALIDATION							
NAME OF AUTHORITY						SEAL	
TITLE							
SIGNATURE							
DATE							
ANNEX(ES): YES / NO (circle one)							

ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD)				N° CC-YY-XXXXXX		2/2						
6. FARMING INFORMATION												
FARMING FACILITY DESCRIPTION	NAME		STATE		ICCAT FFB N°							
	SAMPLING NATIONAL PROGRAM ? Yes or No (circle one)			LOCATION								
CAGE DESCRIPTION	DATE(ddmmyy)		CAGE N°									
FISH DESCRIPTION	N° OF FISH		TOTAL WEIGHT (kg)		AVERAGE WEIGHT (kg)							
ICCAT REGIONAL OBSERVER INFO.	NAME		ICCAT No.		SIGNATURE							
	SIZE COMPOSITION		< 8 Kg		8-30 Kg		> 30 Kg					
GOVERNEMENT VALIDATION												
	NAME OF AUTHORITY					SEAL						
	TITLE											
	SIGNATURE											
	DATE											
ANNEX(ES): YES / NO (circle one)												
7. HARVESTING INFORMATION												
HARVESTING DESCRIPTION												
	DATE (ddmmyy)		FISH N°		TOTAL ROUND WEIGHT (kg)							
	AVERAGE WEIGHT (kg)		TAGS N° (if applicable)									
ICCAT REGIONAL OBSERVER INFO.	NAME		ICCAT No.		SIGNATURE							
	GOVERNEMENT VALIDATION											
	NAME OF AUTHORITY					SEAL						
	TITLE											
	SIGNATURE											
	DATE											
8. TRADE INFORMATION												
PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product)												
F	RD (kg)		GG (kg)		DR (kg)		FL (kg)		OT(kg)		TOTAL WT F (kg)	
FR	RD (kg)		GG (kg)		DR (kg)		FL (kg)		OT(kg)		TOTAL WT FR (kg)	
EXPORTER/SELLER												
	PT EXPORTATION/ DEPARTURE		COMPANY				ADDRESS					
	STATE OF DESTINATION											
	SIGNATURE											
	DATE											
TRANSPORTATION DESCRIPTION [(Relevant documentation to be attached)]												
GOVERNEMENT VALIDATION												
	NAME OF AUTHORITY					SEAL						
	TITLE											
	SIGNATURE											
	DATE											
IMPORTER/BUYER												
	COMPANY				PT IMPORTATION / DESTINATION (city, country, State)							
	ADDRESS											
	DATE				SIGNATURE							
ANNEX(ES): YES / NO (circle one)												

ANNEX IIIa (amendment 61)

Instructions for the issuing, numbering, completion and validation of the catch document

1. GENERAL PRINCIPLES

(1) Language

If a language other than an official ICCAT language (English, French and Spanish) is used in completing the catch document, the English translation must be attached to it.

(2) Numbering

Member States must develop unique numbering systems for catch documents using their ISO 2-alpha country code in combination with a number consisting of at least eight digits, of which at least two digits should indicate the year of catch.

Example: FR-09-123456 (where FR stands for France)

In the case of split lots or processed products, copies of the original catch document must be numbered by supplementing the number of the original catch documents with a 2-digit number.

Example: FR-09-123456-01, FR-09-123456-02, FR-09-123456-03, etc.

The numbering must be sequential and preferably printed. The serial numbers of blank catch documents issued shall be recorded according to the name of the recipient.

(3) Validation

The bluefin tuna catch document model shall not be a substitute for the prior transfer authorisation nor the caging authorisation.

2. CATCH INFORMATION

(1) Completion

(a) *General principles*

This section is applicable to all catches of bluefin tunas.

The master of the catching vessel or the trap operator or their authorised representative or the authorised representative of the flag or trap Member State is responsible for the completion and the request for validation of the CATCH INFORMATION section.

The CATCH INFORMATION section must be completed at the latest by the end of the first transfer into towed cages, transshipment or landing operation.

NB: in case of joint fishing operations as defined by Article 2(g) of Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007¹, the master of each catching vessel involved in the joint fishing operation must complete a catch document for each catch.

(b) *Specific instructions*

"FLAG": indicate the flag or trap Member State.

"ICCAT Record No": indicate the ICCAT number of the catching vessel or trap authorised to fish bluefin tuna in the ICCAT Convention area. This information is not applicable to catching vessels which fish bluefin tuna as by-catch.

¹ OJ L 96, 15.4.2009, p. 1.

"GEAR": indicate the fishing gear using the following codes

BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR	Rod and reel
SURF	Surface fisheries unclassified
TL	Tended line
TRAP	Trap
TROL	Troll
UNCL	Unspecified methods
OT	Other

"TOTAL WEIGHT": indicate the round weight in kilograms. If round weight is not used at the time of catch, indicate the type of product (e.g. GG). In case of joint fishing operations, the quantity reported must correspond to the allocation key defined for each catching vessel.

"ZONE": indicate Mediterranean, western Atlantic or eastern Atlantic.

"TAGS No (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

(2) Validation

The flag or trap Member State is responsible for the validation of the CATCH INFORMATION section unless bluefin tuna are tagged in accordance with Article 5 of this Regulation.

For landed or transhipped fish, validation must take place at the latest by the end of the transshipment or landing operation.

For live transferred fish, validation may take place at the time of the first transfer into towed cages, but must take place in any event at the latest by the end of the caging operation.

3. TRADE INFORMATION FOR LIVE FISH TRADE

(1) Completion

(a) *General principles:*

This section is only applicable to domestic trade in or the export of live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag Member State is responsible for the completion and the request for validation of the TRADE INFORMATION FOR LIVE FISH TRADE section.

The TRADE INFORMATION FOR LIVE FISH TRADE section must be completed at the latest by the end of the first transfer into towed cages.

NB: where a quantity of fish die during the transfer operation and are domestically traded or exported, the original catch document (CATCH INFORMATION section completed and, where applicable, validated) must be copied, and TRADE INFORMATION section of the copied catch document must be completed by the master of the catching vessel or his authorised representative or the authorised representative of the flag Member State and transmitted to the domestic buyer/importer. Validation of the copy guarantees that it is a true copy and has been recorded by authorities of the Member State concerned.

Without such validation, any catch document copy will be null and void.

(b) *Specific instructions:*

"ZONE": indicate the area of transfer, Mediterranean, western Atlantic or eastern Atlantic.

"POINT OF EXPORT/DEPARTURE": indicate the Member State or CPC name of the fishery zone where the bluefin tuna were transferred or indicate "high seas" otherwise.

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The flag Member State shall not validate catch documents where the CATCH INFORMATION section is not completed and, where applicable, validated.

Validation may take place at the time of the first transfer into towed cages, but must in any event take place at the latest by the end of the caging operation.

4. TRANSFER INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag Member State is responsible for the completion of the TRANSFER INFORMATION section.

The TRANSFER INFORMATION section must be completed at the latest by the end of the first transfer operation.

At the end of the first transfer operation, the master of the catching vessel must provide the catch document (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the master of the tug vessel.

The completed and, where applicable, validated catch document must accompany the transfer of fish during transport to farm, including transfer of live bluefin tuna from the transport cage to another transport cage or transfer of dead bluefin tuna from the transport cage to an auxiliary vessel.

NB: where some fish die during the transfer operation, the original catch document (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) must be copied, and TRADE INFORMATION section of the copied catch document must be completed by the domestic seller/exporter or his authorised representative or the authorised representative of the flag Member State and transmitted to the domestic buyer/importer. Validation of the copy guarantees that it is a true copy and has been recorded by authorities of the Member State concerned. Without such validation, any catch document copy will be null and void.

(b) *Specific instructions:*

"No. OF FISH DEAD DURING TRANSFER" and "TOTAL WEIGHT OF DEAD FISH": information completed (if applicable) by the master of the tug vessel.

"CAGE No.": indicate each number of cages in the case of a tug vessel having more than one cage.

(2) **Validation**

Validation of this section is not required.

5. TRANSHIPMENT INFORMATION

(1) **Completion**

(a) *General principles:*

This section is only applicable to dead bluefin tunas.

The master of the transshipping fishing vessel or his authorised representative or the authorised representative of the flag State is responsible for the completion and the request for validation of the TRANSHIPMENT INFORMATION section.

The TRANSHIPMENT INFORMATION section must be completed at the latest by the end of the transshipment operation.

(b) *Specific instructions:*

"DATE": indicate the date of the transshipment.

"PORT NAME": indicate the designated port of transshipment.

"PORT STATE": indicate the Member State or CPC of the designated port of transshipment.

(2) Validation

The flag Member State must not validate catch documents where the CATCH INFORMATION section has not been completed and, where applicable, validated.

Validation must take place at the latest by the end of the transshipment operation.

6. FARMING INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to live caged tunas.

The master of the tug vessel must provide the catch document (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the farm operator at the time of caging.

The farm operator or his authorised representative or an authorized representative of the farm Member State is responsible for the completion and the request for validation of the FARM INFORMATION section.

The FARM INFORMATION section must be completed at the latest by the end of the caging operation.

(b) Specific instructions:

"CAGE No": indicate each number of cage.

"ICCAT Regional Observer Information": indicate name, ICCAT number and signature.

(2) Validation

The farm Member State is responsible for the validation of the FARM INFORMATION section.

The farm Member State must not validate catch documents where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections have not been completed and, where applicable, validated.

Validation must take place at the latest by the end of the caging operation.

7. HARVESTING INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to dead farmed tunas.

The farm operator or his authorised representative or an authorized representative of the farm Member State is responsible for the completion and the request for validation of the HARVEST FROM FARM INFORMATION section.

The HARVESTING INFORMATION section must be completed at the latest by the end of the harvesting operation.

(b) *Specific instructions:*

"TAGS No (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

"ICCAT Regional Observer Information": indicate name, ICCAT number and signature.

(2) Validation

The farm Member State is responsible for the validation of the HARVESTING INFORMATION section.

The farm Member State must not validate catch documents where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE, TRANSFER INFORMATION and FARMING INFORMATION sections have not been completed and, where applicable, validated.

Validation must take place at the latest by the end of the harvesting operation.

8. TRADE INFORMATION

(1) Completion

(a) *General principles:*

This section is applicable to domestic trade or export of dead bluefin tunas.

The domestic seller or exporter or their authorised representative or an authorized representative of the Member State of the seller/exporter is responsible for the completion and the request for validation of the TRADE INFORMATION section, except the subsection IMPORTER/BUYER.

The TRADE INFORMATION section, except the subsection IMPORTER/BUYER, must be completed prior to the fish being domestically traded or exported.

In case of domestic trade, the subsection IMPORTER/BUYER must be completed by the domestic buyer after the fish have been domestically traded.

In case of international trade, the subsection IMPORTER/BUYER must be completed by the importer.

(b) *Specific instructions:*

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The Member State of the seller/exporter is responsible for the validation of the TRADE INFORMATION (except the subsection IMPORTER/BUYER) section unless bluefin tuna are tagged in accordance with Article 5 of this Regulation.

NB: in cases where more than one domestic trade or export results from a single catch document, a copy of the original catch document must be validated by the Member State of the domestic seller or exporter and must be used and accepted as an original catch document. Validation of the copy guarantees that it is a true copy and has been recorded by authorities of the Member State concerned. Without such validation, any catch document copy will be null and void.

NB:

In cases of re-export, the RE-EXPORT CERTIFICATE must be used to track further movements, which must relate to the catch information of the original catch document via the original catch document number.

When bluefin tuna is caught by a catching vessel or trap flagged or established in a Member State or CPC using the tagging system, then exported dead and re-exported, the catch document accompanying the RE-EXPORT CERTIFICATE does not have to be validated. However, the RE-EXPORT CERTIFICATE must be validated.

After import, a bluefin tuna may be divided into several pieces, which then may be subsequently exported. In this case, the re-exporting Member State or CPC must confirm that the re-exported piece is part of the original fish accompanied by the catch document.

ANNEX IV

DATA TO BE INCLUDED IN THE ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE

1. Document number of the re-export certificate

2. Re-export section

Re-exporting Member State

Point of re-export

3. Description of imported bluefin tuna

Product type F/FR RD/GG/DR/FL/OT **(when different type of products are recorded in this section, the weight shall be recorded by each product type) (amendment 62)**

Net weight (kg)

Catch document number(s) and date(s) of importation

Flag(s) of fishing vessel(s) or state of establishment of the trap, where appropriate

4. Description of bluefin tuna to be re-exported

Product type F/FR RD/GG/DR/FL/OT **(when different type of products are recorded in this section, the weight shall be recorded by each product type) (amendment 63)**

Net weight (kg)

Corresponding catch document number(s) from section 3

State of destination (amendment 63)

5. Statement of re-exporter

Name

Address

Signature

Date

6. Validation by authorities

Name and address of the authority

Name and position of the official

Signature

Date

Government seal

7. Import section

Statement by the importer in the Member State or CPC of import of the bluefin tuna **lot**
(amendment 64)

Name and address of the importer

Name and signature of the importer's representative and date

Point of import: City and CPC

Note – Copies of the catch document(s) and Transport document(s) shall be attached

(amendment 65)

1. DOCUMENT NUMBER	ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE			
2. RE-EXPORT SECTION: RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY POINT OF RE-EXPORT				
3. DESCRIPTION OF IMPORTED BLUEFIN TUNA				
Product Type <i>F/FR RD/GG/DR/FL/OT</i>	Net Weight (kg)	Flag CPC	Date of import	BCD No.
4. DESCRIPTION OF BLUEFIN TUNA FOR RE-EXPORT				
Product Type <i>F/FR RD/GG/DR/FL/OT</i>	Net Weight (kg)	Corresponding BCD number		
F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttled, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product:) STATE OF DESTINATION:				
5. RE-EXPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Name	Address	Signature	Date	
6. GOVERNMENT VALIDATION: I validate that the above information is complete, true and correct to the best of my knowledge and belief.				
Name & Title	Signature	Date	Government Seal	
7. IMPORT SECTION IMPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Importer Certification				
Name	Address	Signature	Date	
Final Point of Import: City	State/Province	CPC		

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

Note: Valid transport document and copies of the BCDs shall be attached.

ANNEX V

REPORT ON THE IMPLEMENTATION OF THE ICCAT BLUEFIN TUNA CATCH DOCUMENTATION PROGRAMME

Reporting Member State:

Period of reference: July 1 [2XXX] to June 30 [2XXX]

1. Information extracted from catch documents
 - number of catch documents validated,
 - number of validated catch documents received **from other Member States or CPCs, (amendment 66)**
 - total amount of bluefin tuna traded domestically, with breakdown by fishing areas and fishing gears,
 - total amount of bluefin tuna imported, exported, transferred to farms, re-exported with breakdown by CPC of origin, re-export or destination, fishing areas and fishing gears,
 - number of verifications of catch documents requested to other Member States or CPCs and summary results,
 - number of requests for verifications of catch documents received from other Member States or CPCs and summary results,
 - total amount of bluefin tuna **lots** subject to a prohibition decision with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), reasons for prohibition and Member States, CPCs and/or non-Contracting Parties of origin or destination. **(amendment 67)**
2. Information on **lots** under Article 9(1) of this Regulation **(amendment 68)**
 - number of **lots**, **(amendment 68)**

- total amount of bluefin tuna with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), Member States, CPCs or other countries referred to in Article 9(1) of this Regulation. (**amendment 68**)

Dichiarazione della Commissione che riguarda la notifica degli atti delegati

La Commissione europea prende atto del fatto che, tranne i casi per i quali l'atto legislativo prevede una procedura d'urgenza, il Parlamento europeo e il Consiglio ritengono che la notifica degli atti delegati debba tenere conto dei periodi di inattività delle istituzioni (inverno, estate ed elezioni europee) per garantire che il Parlamento europeo e il Consiglio possano esercitare le rispettive prerogative entro le scadenze fissate nei relativi atti legislativi ed è pronta ad agire di conseguenza.

Dichiarazione del Parlamento europeo, del Consiglio e della Commissione sull'articolo 290 del TFUE

Il Parlamento europeo, il Consiglio e la Commissione dichiarano che le disposizioni del presente regolamento non pregiudicano eventuali posizioni future delle istituzioni per quanto riguarda l'attuazione dell'articolo 290 del TFUE o singoli atti legislativi che contengano disposizioni di questo tipo.