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EUROPEAN COMMISSION

Brussels, 30.8.2010
COM(2010) 456 final

2008/0198 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 294(7)(c) of the Treaty on the Functioning of the European Union,
on the European Parliament's amendments
to the Council's position regarding the
proposal for a**

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

**laying down the obligations of operators who place timber and timber products on the
market**

AMENDING THE PROPOSAL FROM THE COMMISSION
pursuant to Article 293(2) of the Treaty on the Functioning of the European Union

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1. INTRODUCTION

Article 294(7)(c) of the Treaty on the Functioning of the European Union 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 the Parliament.

2. BACKGROUND

The Commission transmitted its proposal to the European Parliament and the Council (document COM(2008) 644 – 2008/0198 (COD)) on 17 October 2008.

The European Parliament adopted its position at first reading on 22 April 2009.

The Economic and Social Committee delivered its opinion on 1 October 2009.

Council reached political agreement on 15 December 2009 and adopted its position at first reading by qualified majority on 1st March 2010.

The EP adopted its position at second reading on 7 July 2010.

3. OBJECTIVE OF THE COMMISSION ON THE AMENDMENTS BY THE EUROPEAN PARLIAMENT

The objective of the Commission on the amendments by the European Parliament is to accept the compromise package as it is in line with the overall purpose and the general characteristics of the Commission proposal.

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

At its Plenary Session of 7 July 2010, the European Parliament adopted a compromise package which had been agreed with the Council in view of reaching a second reading agreement.

These amendments concern essentially:

- The imposition of a prohibition on placing on the EU market of illegally harvested timber and timber products,
- The imposition of an obligation on internal traders to keep records of from whom and to whom they sell timber and timber products on a commercial basis,
- Recognition and withdrawal of recognition of monitoring organizations to be done centrally by the Commission,
- Extension of the date of application of the Regulation to 27 months,
- Amendment of the scope of applicable legislation through insertion of a reference to forest management and biodiversity conservation legislation directly related to timber harvesting,
- Expansion of the risk assessment criteria by adding UN Security Council or Council of the European Union sanctions on timber imports or exports and prevalence of armed conflict,
- Authorization of the competent authorities to carry out check on operators and monitoring organizations when in a possession of relevant information, including substantiated concerns from third parties.

5. CONCLUSION

Pursuant to Article 293(2) of the Treaty on the Functioning of the European Union, the Commission amends its proposal as set out above.