Council Decision 2019/1748 of 7 October 2019 on the position to be taken on behalf of the European Union within the Sanitary and Phytosanitary Management Sub-Committee established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards the modification of Annex V to Chapter 4 of that Agreement

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part[(1)], (the 'Association Agreement') entered into force on 1 September 2017.

(2) Article 64(1) of the Association Agreement provides that Ukraine is to approximate its sanitary and phytosanitary and animal welfare legislation to that of the Union as set out in Annex V to Chapter 4 of the Association Agreement.

(3) Ukraine has committed to submit a comprehensive strategy in the form of a list of the Union legislation regarding sanitary and phytosanitary measures and animal welfare (the 'List') to which it intends to approximate its domestic legislation. The List is to serve as the reference document for the implementation of Chapter 4 (Sanitary and Phytosanitary Measures) of Title IV (Trade and Trade-related Matters) of the Association Agreement, and it is to be added to Annex V to Chapter 4 of the Association Agreement. Accordingly, Annex V to Chapter 4 of the Association Agreement is to be modified by means of a decision of the Sanitary and Phytosanitary Management Sub-Committee (the 'SPS Sub#Committee'), as set out in subparagraph (c) of Article 74(2) of the Association Agreement.

(4) Ukraine submitted the List to the Commission in June 2016. The Union adopted its position as regards the modification of Annex V to Chapter 4 of the Association Agreement by means of Council Decision (EU) 2017/1391[(2)] on the basis of the List. Ukraine announced shortly thereafter that it considered it necessary to make further

Changes to legislation: *There are currently no known outstanding effects for the Council Decision 2019/1748. (See end of Document for details)*

clarifications and changes concerning the deadlines for adoption, to make corrections, including in relation to the duplication of acts, and to add new acts. Consequently, the decision by the SPS Sub-Committee based on the Union's position adopted by Decision (EU) 2017/1391 was not adopted.

(5) Ukraine submitted a revised version of the List to the Commission in October 2018. Based on that revised version of the List, the SPS Sub-Committee is to adopt a decision modifying Annex V to Chapter 4 of the Association Agreement.

(6) It is appropriate to establish the position to be taken on the Union's behalf in the SPS Sub#Committee as regards the modification of Annex V to Chapter 4 of the Association Agreement.

(7) The position of the Union within the SPS Sub-Committee should therefore be to support the modification of Annex V to Chapter 4 of the Association Agreement, as set out in the Annex to the SPS Sub-Committee draft decision.

(8) Because the List adopted by Decision (EU) 2017/1391 has been revised, it is necessary to repeal that Decision,

HAS ADOPTED THIS DECISION:

Article 1

1 The position to be taken on behalf of the Union within the Sanitary and Phytosanitary Management Sub-Committee (the 'SPS Sub-Committee') established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, (the 'Association Agreement') as regards the modification of Annex V to Chapter 4 of the Association Agreement shall be to support the modification of Annex V to Chapter 4 of the Association Agreement, as set out in the Annex to the SPS Sub-Committee draft Decision attached to this Decision.

2 Minor technical changes to the SPS Sub-Committee draft Decision may be agreed by the representatives of the Union within the SPS Sub-Committee without further decision of the Council.

Article 2

Decision (EU) 2017/1391 is hereby repealed.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 7 October 2019.

For the Council

The President

A.-M. HENRIKSSON

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision 2019/1748. (See end of Document for details)*