



Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS

Sectoral Committee
Weekly Update
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COM (2010) 405 - Proposal for a COUNCIL DECISION on signature of a voluntary partnership agreement between the European Union and the Republic of Cameroon on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)

COM (2010) 406 - Proposal for a COUNCIL DECISION on conclusion of a voluntary partnership agreement between the European Union and the Republic of Cameroon on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)

The Action Plan on Forest Law Enforcement, Governance and Trade (FLEGT), endorsed by the Council in 2003, proposes a set of measures that include support for timber-producing countries, multilateral collaboration to tackle trade in illegal timber, support for private-sector initiatives and measures to stop investment in activities that encourage illegal logging. The cornerstone of the Action Plan is the establishment of FLEGT partnerships between the European Union and timber-producing countries with the aim of stopping illegal logging. In 2005 the Council adopted Regulation (EC) No 2173/20053 which establishes a licensing scheme and a mechanism to verify the legality of timber imports into the European Union. The Commission entered into negotiations with Cameroon in November 2007 and concluded a voluntary partnership agreement.

The Agreement addresses all the elements contained in the Council negotiating directives. In particular, the Agreement establishes the framework, institutions and systems for the FLEGT licensing scheme. It outlines the supply chain controls, legal compliance framework and independent audit requirements for the system. The Agreement sets out a time frame and the procedures for entry into force of the Agreement and for implementing the licensing scheme.

By means of these proposals the Commission is proposing that the Council adopt a Decision on the signing of the Agreement (COM (2010) 405) and a Decision to conclude (COM (2010) 406) the Agreement.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0405:FIN:EN:PDF>
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0406:FIN:EN:PDF>



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COM (2010) 404 - REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL The placing on the market of replica firearms

The issue of replica firearms arose during the legislative work leading to the amendment of Directive 91/477/EEC on control of the acquisition and possession of weapons. During the discussions in the European Parliament a number of experts, explained the potentially criminal use of guns designed for firing blanks, when converted into real firearms by delinquents. Consequently, the definition of firearm in the amended Directive includes objects "*capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant if it has the appearance of a firearm, and as a result of its construction or the material from which it is made, it can be so converted*".

With a view to understanding the issue of replica firearms as fully as possible, the Commission drafted a questionnaire which was sent to all the Member States in July 2009. The Commission then drew up a report based on the findings of the questionnaire. Member states were then grouped into three categories, those with no legislation on replicas, those in which the concept of replica is featured without there being reported any particular or significant problems (Malta falls under this category) and the third group whose legislation attempts to provide a stronger regulatory framework.

The Commission concludes that replicas should not be included in the field of application of Directive 91/477/EC. This is based on the fact that:

- The majority of the Member States did not report any particular or significant problems with transfers or imports from other countries;
- the free movement of replica firearms within the EU is also provided for by Regulation (EC) No 764/2008;
- in the absence of more specific provisions, all products are subject to the provisions of general product safety Directive;
- replicas which can be converted to a firearm, and therefore treated as one, are now covered by the Directive following the amendment by Directive 2008/51/EC;
- extending the Directive to other types of replica would be cumbersome for manufacturers, dealers and owners of these replicas as they would be subject to all the obligations of the Directive.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0404:FIN:EN:PDF>



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COM (2010) 395 - Proposal for a Regulation (EU) No .../... of the European Parliament and of the Council on the approval of agricultural or forestry vehicles

The objective of the proposal is to lay down harmonised rules on the manufacture of agricultural and forestry vehicles (tractors, trailers and towed equipment) with a view to ensuring the functioning of the internal market while at the same time providing for a high level of road and occupational safety and environmental protection. Existing legislation will be replaced in order to align it with the principles of Better Regulation and Simplification.

The proposal aims at enhancing the safety of vehicles by introducing requirements for all categories of agricultural and forestry vehicles. Finally, the proposal contributes to the competitiveness of the industry by simplifying the existing vehicle type-approval legislation, improving transparency and easing administrative burden.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0395:FIN:EN:PDF>

COM (2010) 399 - REPORT FROM THE COMMISSION TO THE COUNCIL on the implementation by the Kingdom of Sweden of the measures necessary to ensure that oral tobacco is not placed on the market in other Member States

The report is based on the derogation which Sweden has from Article 8 of the Tobacco Products Directive which bans the placing on the market of oral tobacco (snus).

In order to implement its obligations under the Accession Treaty, Sweden has criminalized commercial export of snus and applies strict penalties. Export of snus is allowed only for travellers' personal use or as a gift for personal use. Sweden informed the Commission that any type of sale, including sales through internet, to another Member State is illegal under the Swedish law. No other Member State reported any signs of snus being commercially placed on their market and Finland plans to have additional preventive measures due to proximity to Sweden.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0399:FIN:EN:PDF>