



TEXTS ADOPTED

P10_TA(2025)0315

Bilateral safeguard clause of the EU-Mercosur Partnership Agreement and the EU-Mercosur Interim Trade Agreement for agricultural products

Amendments adopted by the European Parliament on 16 December 2025 on the proposal for a regulation of the European Parliament and of the Council implementing the bilateral safeguard clause of the EU-Mercosur Partnership Agreement and the EU-Mercosur Interim Trade Agreement for agricultural products (COM(2025)0639 - C10-0247/2025 - 2025/0322(COD))¹
(Ordinary legislative procedure: first reading)

Amendment 81

Proposal for a regulation Recital 2

Text proposed by the Commission

(2) The **EMPA** and the **ITA aim to protect** Union producers of sensitive commodities in the **agriculture** sector **by limiting preferences to tariff rate** quotas.

Amendment

(2) The **Partnership Agreement** and the **Interim Trade Agreement will reduce the protections enjoyed by** Union producers **who manufacture** sensitive commodities in the **agricultural** sector. **Bilateral safeguard clauses should therefore be put in place to limit the scope of preferential** tariff quotas **in the event of injury or threat of injury.**

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 60(4), fourth subparagraph (A10-0254/2025).

Amendment 1

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) The close monitoring of any sensitive products should facilitate timely decisions concerning the possible initiation of investigations and the subsequent imposition of safeguard measures. Therefore, the Commission should **regularly** monitor imports of any sensitive products from the date of entry into force of the ITA or the EMPA. Monitoring should be extended to other products or sectors if the relevant Union industry makes a duly justified request to the Commission.

Amendment

(12) The close monitoring of any sensitive products should facilitate timely decisions concerning the possible initiation of investigations and the subsequent imposition of safeguard measures. Therefore, the Commission should **constantly and proactively** monitor imports of any sensitive products from the date of entry into force of the ITA or the EMPA. Monitoring should be extended to other products or sectors if the relevant Union industry makes a duly justified request to the Commission. ***The Commission should present a monitoring report every three months, containing its assessment of the impact of imports of sensitive products benefitting from preferential market access under the Agreement, including data on import volumes and prices for all sensitive products, with appropriate regional disaggregation.***

Amendments 21 and 82

Proposal for a regulation Article 2 - paragraph 1 - point 5

Text proposed by the Commission

5. 'serious injury' means a significant overall impairment to the position of the Union industry;

Amendment

5. 'serious injury' means a significant overall impairment to the position of the Union industry; ***an increase in volume of more than 5 % year-on-year compared to the three-year***

average of the imports under preferential terms of a given product, or a decrease of more than 5 % year-on-year in the average import price of a given product, shall be considered as prima facie evidence of serious injury;

Amendment 83

Proposal for a regulation

Article 3 - paragraph 1 - subparagraph 1 (new)

Text proposed by the Commission

Amendment

Clear indications of a deterioration in the economic situation of the industry, across the Union or at Member State level, including an increase in volume of more than 5 % year-on-year compared to the three-year average of the imports under preferential terms of a given product or sustained decreases in domestic prices, may be sufficient to demonstrate serious injury to the sector and to warrant a safeguard.

Amendment 2

Proposal for a regulation

Article 3 - paragraph 2 - point c a (new)

Text proposed by the Commission

Amendment

(ca) the introduction of a reciprocity obligation regarding products and production standards;

Amendment 3

Proposal for a regulation
Article 4 - paragraph 1

Text proposed by the Commission

1. The Commission shall **regularly** monitor the Union market of sensitive products, in particular as regards import and export trends, production and price developments. For that purpose, the Commission shall cooperate and exchange data with Member States and the Union industry on a regular basis.

Amendment

1. The Commission shall **constantly and proactively** monitor the Union market of sensitive products, in particular as regards import and export trends, production and price developments, **with the support of the Union market observatories established by Regulation (EU) No 1308/2013 of the European Parliament and of the Council^{1a}**. For that purpose, the Commission shall cooperate and exchange data with Member States, **the European Parliament** and the Union industry on a regular basis.

^{1a} Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>).

Amendment 4

Proposal for a regulation
Article 4 - paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Upon a duly justified request by the Union industry concerned, the Commission may extend the scope of the monitoring referred to in

paragraph 1 to any products or sectors other than those referred to in the Annex.

Amendment 5

Proposal for a regulation Article 4 - paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Cooperation and exchange of data shall be carried out both vertically, between the Commission and the Member States, and horizontally, between the Member States.

Amendment 6

Proposal for a regulation Article 4 - paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. By 1 March 2026, the Commission shall develop and make available to Member States technical guidelines on the indicators, parameters and types of data that can be monitored in markets at national and local level.

Amendment 7

Proposal for a regulation Article 4 - paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall present a monitoring report to the European Parliament and to the Council every **six** months containing its assessment of the impact of imports of sensitive products benefitting from preferential market access under

3. The Commission shall present a monitoring report to the European Parliament and to the Council every **three** months containing its assessment of the impact of imports of sensitive products benefitting from preferential market access under

the agreement. Such reports shall cover the Union market and, if relevant, also cover the situation in one or several Member States.

Amendment 8

Proposal for a regulation Article 6 - paragraph 3

Text proposed by the Commission

3. The Commission shall treat, in the absence of contrary indications, an increase in volume of more than **10% year-on-year**, as a rule, of the imports under preferential terms of a given product from a country concerned as prima facie evidence of serious injury or the threat of serious injury to Union industry, if, at the same time, the average import price for those imports from a country concerned is at least **10%**, as a rule, below the relevant average domestic price of like or directly competitive products during the same period, based on available data.

Amendment 9

Proposal for a regulation Article 6 - paragraph 4

Text proposed by the Commission

4. The Commission shall treat, in the absence of contrary indications, a decrease of more than **10% year-on-year**, as a rule, in the average import price of a given product from a country concerned imported into the Union on preferential terms as prima facie evidence of serious injury or the threat of serious

the Agreement. That report shall cover the Union market and, if relevant, also cover the **specific** situation in one or several Member States.

Amendment

3. The Commission shall treat, in the absence of contrary indications, an increase in volume of more than **5 % compared to the three-year average** as a rule, of the imports under preferential terms of a given product from a country concerned as prima facie evidence of serious injury, or the threat of serious injury to **the** Union industry, if, at the same time, the average import price for those imports from a country concerned is at least **5 %**, as a rule, below the relevant average domestic price of like or directly competitive products during the same period, based on available data.

Amendment

4. The Commission shall treat, in the absence of contrary indications, a decrease of more than **5 % compared to the three-year average**, as a rule, in the average import price of a given product from a country concerned imported into the Union on preferential terms as

injury to Union industry, if at the same time the average import price for that product from a country concerned is at least **10%**, as a rule, below the relevant average domestic price of like or directly competitive products during the same period, based on available data.

prima facie evidence of serious injury or the threat of serious injury to **the** Union industry, if at the same time the average import price for that product from a country concerned is at least **5 %**, as a rule, below the relevant average domestic price of like or directly competitive products during the same period, based on available data.

Amendment 10

Proposal for a regulation Article 6 - paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall not be limited to the quantitative thresholds set out in this Article when establishing prima facie evidence of serious injury. Clear indications of a deterioration in the economic situation of the industry, across the Union or at Member State level, including sustained decreases in domestic prices, may be sufficient to demonstrate injury to the sector and may warrant the initiation of an investigation.

Amendment 11

Proposal for a regulation Article 7 - paragraph 3

Text proposed by the Commission

Amendment

3. Where possible, the investigation shall be concluded within **six** months from the date on which the notice of initiation is published in the Official Journal of the European Union. That time

3. Where possible, the investigation shall be concluded within **three** months from the date on which the notice of initiation is published in the Official Journal of the

limit may be extended by a further period of three months in exceptional circumstances, such as the involvement of an unusually high number of interested parties or complex market situations. The Commission shall notify all interested parties of any such extensions and explain the reasons therefor. Where an investigation concerns sensitive products, the Commission shall conclude it as soon as possible, with the aim of taking a final decision within **four** months from the date on which the notice of initiation is published in the *Official Journal of the European Union*.

European Union. That time limit may be extended by a further period of three months in exceptional circumstances such as the involvement of an unusually high number of interested parties or complex market situations. The Commission shall notify all interested parties of any such extensions and explain the reasons therefor. Where an investigation concerns sensitive products, the Commission shall conclude it as soon as possible, with the aim of taking a final decision within **two** months from the date on which the notice of initiation is published in the *Official Journal of the European Union*.

Amendment 12

Proposal for a regulation Article 7 - paragraph 5

Text proposed by the Commission

5. The Commission shall evaluate all relevant factors of an objective and quantifiable nature that affect the situation of the Union industry, in particular the rate and amount of the increase in imports of the product concerned in absolute and relative terms, the share of the domestic market taken by the increased imports, and changes regarding the Union industry with respect to the level of sales, production, productivity, capacity utilisation, profits and losses, and employment. This list is not exhaustive, and the Commission may take other relevant factors into consideration for its determination of the existence of serious injury or threat of serious

Amendment

5. The Commission shall evaluate all relevant ***economic indicators and*** factors of an objective and quantifiable nature that affect the situation of the Union industry, in particular the rate and amount of the increase in imports of the product concerned in absolute and relative terms, the share of the domestic market taken by the increased imports, and changes regarding the Union industry with respect to the level of sales, ***including prices,*** production, productivity, capacity utilisation, profits and losses, and employment. This list is not exhaustive, and the Commission may take other relevant factors into consideration for its

injury, such as stocks, **prices**, return of capital employed, cash flow, the level of market shares, and other factors which are causing or may have caused serious injury, or threaten to cause serious injury to the Union industry.

determination of the existence of serious injury or threat of serious injury, such as stocks, return of capital employed, cash flow, the level of market shares, and other factors which are causing or may have caused serious injury, or threaten to cause serious injury to the Union industry.

Amendments 34 and 86

Proposal for a regulation

Article 9 - paragraph 1 - point b a (new)

Text proposed by the Commission

Amendment

(ba) Clear indications of a deterioration in the economic situation of the industry, across the Union or at Member State level, including an increase in volume of more than 5% year-on-year compared to the three-year average of the imports under preferential terms of a given product or sustained decreases in domestic prices, may be sufficient to demonstrate serious injury to the sector and to warrant a safeguard.

Amendment 13

Proposal for a regulation

Article 9 - paragraph 3

Text proposed by the Commission

Amendment

3. In case of sensitive products, provisional safeguard measures shall be adopted in accordance with the procedure referred to in Article 18(4) without delay and in any event within a maximum of **21** days from the initiation of the investigation to avert damage to

3. In case of sensitive products, provisional safeguard measures shall be adopted in accordance with the procedure referred to in Article 18(4) without delay and in any event within a maximum of **14** days from the initiation of the investigation to avert damage to

Union industry which would be difficult to repair, including where such damage may be geographically concentrated in one or several Member States.

Amendments 36 and 87

Proposal for a regulation Article 11 - paragraph 1

Text proposed by the Commission

1. Where an investigation leads to the conclusion that the conditions set out in Article 3(1) are met, the Commission **may** adopt definitive safeguard measures in accordance with the examination procedure referred to in Article 18(3).

Amendments 64 and 88

Proposal for a regulation Article 12 a (new)

Text proposed by the Commission

the Union industry which would be difficult to repair, including where such damage may be geographically concentrated in one or several Member States.

Amendment

1. Where an investigation leads to the conclusion that the conditions set out in Article 3(1) are met, the Commission **shall** adopt definitive safeguard measures in accordance with the examination procedure referred to in Article 18(3).

Amendment

Article 12a

Environment, Health and SPS clause

1. The Commission shall initiate an investigation and adopt safeguard measures under this Regulation where there is credible evidence that imports benefiting from tariff preferences do not meet equivalent environmental, animal welfare, health, food safety, or labour protection requirements applicable to Union producers.

2. In the event of a documented risk to human, animal, or plant health,

including the use of production methods prohibited in the Union or failure to comply with sanitary and phytosanitary requirements, the Commission may immediately suspend imports of the product benefiting from tariff preferences, in accordance with Article 9(3). Measures adopted under this Article shall be necessary and proportionate and shall be subject to review in accordance with Article 12.

Amendment 14

Proposal for a regulation Article 15 a (new)

Text proposed by the Commission

Amendment

Article 15a

Anti-circumvention measures

1. If the Commission identifies circumvention of safeguard measures through changes in trade routes, including imports from Parties exempted from the safeguard measures, it may extend the scope of the safeguard measures to those imports or adopt other necessary implementing measures.

2. The Commission shall strengthen customs cooperation with Member States in verifying rules of origin and ensuring full traceability of imports of sensitive products.

Amendment 15

Proposal for a regulation
Annex - paragraph 1 - point 14

Text proposed by the Commission

14. Eggs

Amendment

14. Eggs ***class A and B***

Amendment 16

Proposal for a regulation
Annex - paragraph 1 - point 15

Text proposed by the Commission

15. Egg albumins

Amendment

15. ***Eggs products- whole egg powder, yolk egg powder, egg albumins (standard, high whip, high gel)***

Amendment 17

Proposal for a regulation
Annex - paragraph 1 - point 23 a (new)

Text proposed by the Commission

Amendment

23a. Citrus: oranges, lemons and mandarins