



Council of the
European Union

Brussels, 6 October 2022
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13065/22
CRS CSA 18

SUMMARY RECORD
SPECIAL COMMITTEE ON AGRICULTURE
3 October 2022

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1. **Adoption of the agenda** 12948/22

The agenda was adopted.

Non-discussion items (I)

2. **Summary records of the 1677th and 1678th meetings of the SCA** 12301/22
12303/22

The SCA approved both summary records.

Discussion items (II)

3. **OIV – EU position to be taken at the 20th OIV General Assembly (4 November 2022)** 12730/1/22 REV 1

- a) **Proposal for a Council Decision on the position to be taken on behalf of the Union in the International Organisation of Vine and Wine (OIV)** 12731/22
Adoption

- b) **Union position on draft OIV resolutions of EU competence that would not have legal effects for the EU legal order**
Approval

- c) **Union position to be taken on behalf of the Union in the OIV General Assembly of 4 November 2022 concerning the modification and adaptation of OIV's Internal Rules**
Approval

The SCA considered the draft Council Decision contained in doc. 12731/22 and invited the Council:

- to adopt it at its meeting on 24 October, under “A” items, after revision of the text by lawyer-linguists; and
- to inform the European Parliament of its Decision in accordance with Article 218(10) of the Treaty.

It also confirmed:

- the Union position reached by consensus in the Working Party on 15 out of 16 draft OIV resolutions of Union competence, which will not have legal effects if adopted by the OIV (see Annex I, part B, of document ST 12730/2/22 REV 2); and
- the Union position reached by consensus in the Working Party on the proposals to amend the OIV Rules of Procedure.

4. Trade-related agricultural issues

Information from the Commission

Preparation of the Council debate

The SCA took note of the information provided by the Commission, the views expressed by delegations, and the information provided by the Presidency on the organisation of the upcoming ministerial discussion. The Presidency would continue to regularly invite the Commission to update the SCA on any developments in international agricultural trade negotiations.

5. Opening of negotiations with Colombia and Mexico with a view to concluding agreements on trade in organic products

12514/22

Information from the Commission

Exchange of views

The SCA took note of the information provided by the Commission, of the comments made by delegations and of the Commission's response. The Commission made a statement concerning the legal basis for the Council Decision. That statement is annexed to this record.

The Presidency would circulate a revised draft of the Council Decision for consideration at one of the committee's upcoming meetings. That draft would include the revised legal basis following the advice of the Council Legal Service.

6. Opportunities from the bioeconomy for agriculture and rural areas in the light of current challenges

12891/22

Exchange of views

The SCA exchanged views on the opportunities from the bioeconomy for agriculture and rural areas in the light of current challenges, based on the Presidency paper contained in document 12891/22. It also took note of the comments of the Commission on this subject.

Any other business

- 7. G20 Agriculture Ministers Meeting
(Bali, 27-29 September 2022)**
Commission debriefing on the outcome

The SCA took note of the information provided by the Commission, of the comments made by delegations and of the Commission's response.

- 8. EU Organic awards (Brussels, 23 September)**
Information from the Commission

The SCA took note of the information provided by the Commission.

- 9. Detailed production methods for organic salts**
Information from the Commission

The SCA took note of the information provided by the Commission, of the comments made by delegations and of the Commission's response.

- 10. Organisation of future work**

The Presidency informed the SCA about the next SCA meeting on 10 October and the "Agriculture and Fisheries" Council meeting on 17-18 October 2022.

STATEMENT**Opening of negotiations with Colombia and Mexico with a view to concluding agreements on trade in organic products****Ad item 5:***Information from the Commission**Exchange of views***STATEMENT BY THE COMMISSION**

“The Commission considers it legally incorrect that a Council Decision authorising the opening of negotiations indicates a substantive legal basis. The Decision authorising the opening of negotiations is premised solely on the existence of conferred powers of the Union and not on a determination of a specific competence. Its effect is limited to authorising the Commission to use its prerogatives under the EU Treaties in order to start negotiations. The scope of these negotiations is therefore determined by the scope of the powers of the Union. Besides, the freedom of the envisaged treaty partner of the Union as regards the determination of the scope of the negotiations cannot be limited by the Council Decision authorising the opening of the negotiations. Thus, the precise legal basis for the future agreement can only be determined after the content of the agreement is known. The Commission reserves all its rights in this regard.”
