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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	11722/25 + ADD 1
Subject:	Regulation amending Regulation (EU) No 1308/2013 (CMO) as regards the school scheme, sectoral interventions, the protein sector, hemp, marketing standards, import duties, the availability of supplies and securities - Presidency compromise text

With a view to the meeting of the Special Committee on Agriculture on 12 September 2026, delegations will find attached a Presidency compromise text on the above subject.

ANNEX

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) No 1308/2013 as regards the school fruit, vegetables and milk scheme ('EU school scheme'), sectoral interventions, the creation of a protein sector, requirements for hemp, the possibility for marketing standards for cheese, protein crops and meat, application of additional import duties, rules on the availability of supplies in time of emergencies and severe crisis and securities

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 42, Article 43(2) and Article 349 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

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1 OJ C […], […], p. […].
2 OJ C […], […], p. […].

Whereas:

(1) The Commission Communication of 19 February 2025 entitled 'A Vision for Agriculture and Food'[3] announces that the common agricultural policy (CAP) post-2027 will provide for further responsibility and accountability for Member States on how they meet the CAP objectives, supporting and stabilising farmers' incomes and attracting a future generation of farmers, and guaranteeing food security. It should be a simpler and more targeted policy with more flexibility for farmers and a shift from requirements to incentives for farmers.

(2) The multiannual financial framework for the years 2028 to 2034 legislative package includes Regulation (EU) .../... of the European Parliament and of the Council [NRPF Regulation][4] establishing the National and Regional Partnership Fund (the 'Fund') for the period 2028 to 2034, grouping the nationally pre-allocated funds under the Fund, including the European Agriculture Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD). In accordance with that Regulation the Fund is to be implemented through National and Regional Partnership Plans (the 'NRP Plans') and the EU Facility (the 'Facility').

(3) Regulation (EU) No 1308/2013 of the European Parliament and of the Council[5] provides for all basic elements of the common organisation of the markets in agricultural products.

(4) The CAP support provided for in Regulation (EU) No 1308/2013 for the period post-2027 will be supported by the Fund and subject to the rules laid down in Regulations (EU) .../... [NRPF Regulation] and (EU) .../... of the European Parliament and of the Council [Performance Regulation][6], as complemented by Regulation (EU) No 1308/2013.

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3 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'A Vision for Agriculture and Food – Shaping together an attractive farming and agri-food sector for future generations' 19.2.2025, COM(2025) 75final.

4 Regulation (EU) .../... of the European Parliament and of the Council of […] […] [NRPF Regulation] (OJ L …, ELI:…).

5 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, p. 671, ELI: http://data.europa.eu/eli/reg/2013/1308/oj).

6 Regulation (EU) .../... of the European Parliament and of the Council of […] […] [Performance Regulation] (OJ L …, ELI:…).

(5) The production of protein crops in the Union faces persistent difficulties, due in particular to **volatility in**~~volatile~~ supply and demand at local level and **to**~~the~~ agronomic challenges **linked to**~~of~~ their cultivation, which make them a higher-risk option for farmers. In order to support their production and reduce the Union**'s** dependence on imports **of**~~for~~ high-quality proteins, it is appropriate to **establish**~~create~~ a distinct protein crop sector in Annex I to Regulation (EU) No 1308/2013. Furthermore, in order to **strengthen the value chain in the protein crop sector at regional, national and transnational level, Member States should be able, where appropriate, to recognise**~~facilitate the setting up of~~ producer **organisations** and interbranch organisations in **that**~~the protein crop~~ sector~~, and thereby strengthen the value chain at regional, national and transitional level, its recognition should be made mandatory~~. As the main products of the dried fodder sector listed in Part IV of Annex I to that Regulation should be included in the protein **crop** sector, the dried fodder sector should be removed from Regulation (EU) No 1308/2013.

(5a) The development of alternative or innovative protein sources, including protein derived from grass and other biomass through biorefining processes, may contribute to improving the Union's protein supply, as well as food and feed strategic autonomy, resilience and environmental performance. Their potential contribution should be further assessed in view of future policy developments at Union level.

(6) By its judgment of 7 September 2016 in Case C-113/14[7], the Court of Justice of the European Union ('the Court') annulled Article 7 of Regulation (EU) No 1308/2013 determining the reference thresholds for agricultural products on the grounds that those thresholds should have been adopted by the Council only, on a proposal from the Commission, on the basis of Article 43(3) of the Treaty on the Functioning of the European Union (TFEU). It is therefore appropriate to delete Article 7 of Regulation (EU) No 1308/2013.

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[7] Judgment of the Court of Justice of 7 September 2016, Germany v Parliament and Council, C-113/14, EU:C:2016:635.

(7) Regulation (EU) No 1308/2013 lays down rules for public intervention. Regulation (EU) 2021/2116 laid down rules for public intervention expenditure and empowered the Commission to supplement that Regulation with rules on the type of measures eligible for Union financing and the reimbursement conditions, the eligibility conditions and calculation methods based on the information actually observed by the paying agencies, on flat rates determined by the Commission, or on flat-rate or non-flat-rate amounts provided for by the agricultural legislation in specific sectors, the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and the determination of the amounts to be financed. Since these rules are necessary for the functioning of the system of public intervention, the existing empowerments should be integrated in Regulation (EU) No 1308/2013.

(8) In addition to the rules on public intervention, Regulation (EU) No 1308/2013 lays down rules on aid for private storage. Commission Delegated Regulation (EU) 2016/1238[8] and Commission Implementing Regulation (EU) 2016/1240[9] lay down rules on checks and penalties adopted pursuant to empowerments for delegated and implementing acts laid down in Regulation (EU) No 1306/2013 of the European Parliament and of the Council[10].

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8 Commission Implementing Regulation (EU) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage (OJ L 206, 30.7.2016, p. 71, ELI: http://data.europa.eu/eli/reg_impl/2016/1240/oj).

9 Commission Delegated Regulation (EU) 2016/1238 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage (OJ L 206, 30.7.2016, p. 15, ELI: http://data.europa.eu/eli/reg_del/2016/1238/oj).

10 Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549, ELI: http://data.europa.eu/eli/reg/2013/1306/oj).

Following the repeal of Regulation (EU) No 1306/2013 and in view of Regulations (EU) .../... [NRPF Regulation] and (EU) .../... [Performance Regulation], the empowerments laid down in Regulation (EU) No 1306/2013 and in Regulation (EU) 2021/2116 of the European Parliament and of the Council[11] to adopt delegated and implementing acts concerning checks and penalties related to public intervention and aid for private storage should be integrated into Regulation (EU) No 1308/2013.

(9) In particular, the Commission should be empowered to adopt delegated acts to supplement Regulation (EU) No 1308/2013 with rules on reduction of payment of aid in case operators do not comply with their obligations relating to the conditions for public intervention or for private storage. The Commission should also be empowered to adopt, by way of implementing acts, uniform rules for Member States for the tests and methods to be applied in order to establish the eligibility of products for public intervention and private storage and the use of tendering procedures for public interventions or for private storage, on administrative and on-the-spot checks to be conducted by Member States with regard to the respect of obligations, commitments and eligibility criteria for public intervention or for private storage as well as on the application and calculation of administrative penalties by Member States when operators do not comply with the eligibility criteria, commitments or other obligations relating to the conditions for public intervention or for private storage.

[11] Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 (OJ L 435, 6.12.2021, p. 187, ELI: http://data.europa.eu/eli/reg/2021/2116/oj).

(10) The aid for the supply of fruit and vegetables and of milk and milk products in educational establishments laid down in Part II, Title I, Chapter II, of Regulation (EU) No 1308/2013 ('EU school scheme')**,** ~~–~~has proven to be effective in increasing the consumption of selected agricultural products. In order to contribute to achieving the CAP objectives, the EU school scheme should be continued **in educational establishments that may cover nurseries, pre-schools, primary and secondary level educational establishments**. However, in order to increase its effectiveness and to ensure coherence with other CAP instruments, the EU school scheme should be based on delivery of performance and should be implemented as a type of intervention supported by the Fund. The Union should set the basic policy parameters, such as the objectives of the EU school scheme and its basic requirements, while Member States should bear greater responsibility as to how they meet the objectives and achieve targets. Enhanced subsidiarity makes it possible to better take into account local conditions and needs. Rules laid down in Regulations (EU) .../... [NRPF Regulation] and (EU) …/… [Performance Regulation] should apply to the EU school scheme, as complemented by this Regulation. The EU school scheme being a market intervention measure, the specific rules on the type of intervention should be laid down in Regulation (EU) No 1308/2013.

(11) The objective of the EU school scheme is to reconnect children with agriculture and **to promote**~~increase~~ healthy eating habits. As children from vulnerable groups are more prone to have unhealthy diets, Member States should be given the possibility to focus on these groups according to socio-economic considerations. In order to reduce the intake of free sugars**, as defined by the World Health Organization,** and fats by schoolchildren, the distribution of products high in free sugars and fats should be limited**. Member States should be able, subject to authorisation by their competent national and regional authorities responsible for health and nutrition, to permit eligible processed products to contain limited quantities of added sugar, added salt and/or added fat where such additions are necessary for the processing or preservation of those products. Member States making use of that possibility should define maximum levels for such added sugar, added salt and/or added fat. Compliance with those levels may be assessed, taking into account, among others, the product composition as indicated on the label or the product specification**.

PUBLIC

In order to raise awareness of children of the variety of products that are cultivated in the Union as well as their different qualities, the distribution of products originating in the Union should be prioritised combined with criteria linked to higher environmental and social sustainability standards. **In duly justified cases, where Member States consider it more effective for the achievement of the objectives of the school scheme, they may allow schools to distribute products receiving Union aid under this scheme in conjunction with regular school meals.** Member States should ensure the implementation of **accompanying awareness-raising activities** ~~awareness raising measures~~ on certain topics **and that educational establishments participating in the EU school scheme publicise, physically or virtually, their involvement in the scheme**. To avoid **duplication** ~~duplicates~~, the national curriculum can be used instead of the EU school scheme. In view of the increased concern over processed foods and products potentially high in added sugars, which do not meet children's nutritional needs, it is appropriate to exclude those products from the EU school scheme.

(12) Considering that the EU school scheme implemented under the Fund is to cover the period from 1 January 2028 to 31 December 2034, the deletion of the provisions relating to the EU school scheme laid down in Part II, Title I, Chapter II, of Regulation (EU) No 1308/2013 should apply from 1 January 2028. In order to ensure a smooth transition, it should be provided that the deleted provisions continue to apply in respect of measures implemented until 31 December 2027. Furthermore, considering that the EU school scheme laid down in Part II, Title I, Chapter II, of Regulation (EU) No 1308/2013 will therefore be discontinued before the end of school year 2027/2028, which runs from 1 August 2027 until 31 July 2028, the overall limit of Union aid laid down per school year in Article 23a of Regulation (EU) No 1308/2013, should be proportionally reduced for **the period from 1 August to 31 December 2027 of school year 2027/2028. To ensure efficient and effective implementation during that shortened period, a single allocation covering school fruit and vegetables and school milk shall be set at EU level enabling fixing the single allocations per Member State by the Council in accordance with Article 43(3) TFEU. The rules concerning Member States' requests for aid and the transfers between allocations should not apply for the period from 1 August to 31 December 2027.**

In order to avoid duplication of requirements for the 2027/2028 school year, accompanying educational measures implemented from 1 August to 31 December 2027 may be taken into account for the purpose of complying with the requirement relating to children's participation in awareness-raising activities for that school year. **Alternatively, children benefitting from awareness raising activities implemented in the period from 1 January to 31 July 2028 may be considered as having benefitted from accompanying educational measures.**

(13) Types of intervention in certain sectors are needed to contribute to achieving the CAP objectives and reinforce synergies with other CAP instruments. Minimum requirements concerning the contents and objectives for such types of intervention should be established at Union level in order to ensure a level playing field in the internal market and avoid conditions of unequal and unfair competition. When including interventions in certain sectors in their NRP Plans, Member States should ensure consistency with other interventions at sector level. ~~**The types of intervention in certain sectors should provide support to the fruit and vegetables, wine, protein crops, apiculture products, olive oil and table olives and hops sectors, as well as for other sectors and products listed in Annex I to Regulation (EU) No 1308/2013.**~~ In particular, given the Union's deficit on plant protein and the environmental benefits their production brings, **Member States are encouraged to include** legumes ~~**should be included**~~ among the products eligible for support while respecting the EU WTO schedule on oilseeds. **While support for apiculture, fruit and vegetables, and in some circumstances, wine, remains mandatory in order to ensure a level playing field across the Union, support for the majority of sectoral interventions is left to the discretion of Member States.**

(13a) In order to ensure a diversified and balanced contribution to the relevant CAP-specific objectives, operational programmes should cover several types of interventions, such as the organisation of supply and marketing, competitiveness, value creation, climate and environmental performance, and crisis prevention and risk management.

(14) In order to ~~protect the financial interests of the Union's budget, and~~ ensure that **the types of intervention in certain sectors contribute to achieving the CAP-relevant specific objectives set out in Article 3, point (d), of Regulation (EU) …/… [NRP] and reinforce synergies with other CAP instruments and in order to ensure a level playing field in the internal market and avoid distortions of competition** ~~penalties are proportionate, effective and dissuasive~~, the Commission should be empowered to adopt delegated acts **supplementing this** ~~to supplement~~ Regulation ~~(EU) No 1308/2013~~ with **additional requirements for those types of intervention in respect of rules for the proper functioning of types of intervention in certain sectors, rules concerning expenditure and costs, rules on withdrawal of by-products of winemaking and the voluntary certification of distillers,** rules on the **calculation** ~~suspension, reduction and recovery for payments of aid for sectoral interventions in case of non-respect~~ of the **value of marketed production for each sector and the reference periods and** ~~recognition criteria by the producer organisations. In addition, the Commission should be empowered to adopt, by way of implementing acts,~~ rules **concerning operational funds of transnational** ~~on administrative and on-the-spot checks to be conducted by Member States on producer organisations or associations of producer organisations to verify compliance with the recognition criteria, as well as rules on a unique identification system of recognised~~ producer organisations and **transnational** associations of producer organisations.

(15) In line with the conclusions of the Commission report on new marketing standards for dried leguminous vegetables and soya bean[12], it is appropriate to provide for the possibility to lay down marketing standards for protein crops to better inform consumers about the origin of the protein crops products they purchase. For the same reason, beef, pigmeat, **sheepmeat, goatmeat and rice**~~sheep and goat meet~~ should be added to the list for which marketing standards may be adopted. ~~In addition, with the objective of possibly harmonising the definition and composition of certain cheeses to ensure a common basis for quality across the internal market, it is also appropriate to provide for the possibility to lay down marketing standards for cheese.~~

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12 Report from the Commission to the European Parliament and the Council in accordance with Article 75(6) of Regulation (EU) No 1308/2013 on new marketing standards for cider and perry and for dried leguminous vegetables and soya bean, COM(2023) 200 final.

~~(16)~~ ~~The Commission Communication 'A Vision for Agriculture and Food' recalls livestock is an essential part of the Union's agriculture, competitiveness and cohesion. Sustainable livestock systems are essential for the Union economy, the viability of rural areas and the preservation of the environment and rural landscapes. The Union livestock sector is particularly vulnerable to various shocks and global competition and it is required to meet high production standards that are not always rewarded by the market. In this context, it is necessary to acknowledge the natural composition of meat and meat products, in the interest of both Union producers and consumers. Meat-related terms often carry cultural and historical significance. It is therefore appropriate to protect meat-related terms to enhance transparency in the internal market as regards the food composition and nutritional content and ensure that consumers can make well-informed choices, particularly for those seeking a specific nutritional content that is traditionally associated with meat products.~~

(17) Regulation (EU) No 228/2013 of the European Parliament and of the Council[13] introduced a logo to encourage farmers in the outermost regions to continue to supply high-quality products and to promote their marketing. In view of Regulations (EU) .../... [NRPF Regulation] and (EU) .../... [Performance Regulation], provisions laid down in Regulation (EU) No 228/2013 concerning the use of the logo should be integrated into Regulation (EU) No 1308/2013 and apply from 1 January 2028.

[13] Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23, ELI: http://data.europa.eu/eli/reg/2013/228/oj).

(18) Article 125(1) of Regulation (EU) No 1308/2013 requires that the terms for buying sugar beet and sugar cane are to be governed by written agreements within the trade, as described in Part II, Section A, point 6, of Annex II to that Regulation. Article 125(3) of Regulation (EU) No 1308/2013 requires the agreements within the trade to conform to the purchase terms laid down in Annex X to that Regulation. For the sake of clarity, Article 125, Part II, Section A, points 5 and 6, of Annex II, and Annex X to Regulation (EU) No 1308/2013 should be amended to ensure consistency between those provisions as regards the parties to the agreements within the trade and as regards the products concerned by those agreements and subject to purchase terms. In particular, **those provisions**~~it~~ should **specify that**~~be clarified that the~~ rules on ~~sugar~~ agreements **within the trade** and purchase terms apply ~~not only~~ to **both** sugar beet **and**~~but also to~~ sugar cane. **At the same time, the provisions of Annex X concerning sugar cane should, where appropriate, reflect the specific agronomic, harvesting and delivery conditions of that crop and the regional context in which it is cultivated, while remaining consistent with the common framework for agreements within the trade as well as the delivery contracts and ensuring equivalent clarity and contractual protection for the parties concerned.**

(19) Innovation and the growth of the bioeconomy have led to new applications for hemp biomass derived from all parts of the plant. This provides farmers with additional opportunities to valorise the plant beyond fibre production, making hemp a more attractive and competitive crop. In addition, growing hemp has environmental and climate benefits as it does not require pesticides or fertilisers and improves soil structure. Several hemp products, including raw hemp (CN 5302), hemp seeds (CN 1207 99 91) and other hemp parts (CN 1211 90 86) are listed as agricultural products in Annex I to the TFEU. In the interest of clarity, the products covered by the flax and hemp sector listed in Annex I, Part VIII, to Regulation (EU) No 1308/2013 should be amended to include hemp products other than raw hemp.

(20) Some Member States have adopted national measures, on grounds of health protection, that prohibit the production or marketing of specific hemp products. These divergent national approaches **could** undermine the proper functioning of the common market organisation, create legal uncertainty and barriers in the internal market and cause unfair competition between farmers in different Member States.

(21) **Europe faces significant health, social, security and governance challenges linked to the trafficking and use of illicit drugs, including cannabis.** In compliance with various international instruments which the Member States have cooperated on or acceded to, as the United Nations Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971, the marketing of narcotic drugs should be prohibited, with the exception of strictly controlled trade or use for medical and scientific purposes. However, it follows from the reasoning of the Court in Case C-663/18[14] that **the**~~non-psychoactive products as~~ cannabidiol **at issue in the case had no psychoactive effect based on the current state of scientific knowledge, and that it was** derived from **a hemp variety**~~hemp varieties~~ with a low Δ9-tetrahydrocannabinol content **that was cultivated legally in the EU, and therefore should not**~~are not to~~ be considered **as a** narcotic **drug**~~drugs~~ under **those**~~these~~ conventions.

(22) ~~Scientific evidence also suggests that hemp products obtained from varieties containing a maximum tetrahydrocannabinol content of 0.3 % are unlikely to pose a risk to human health. Therefore,~~ **To**~~to~~ ensure legal certainty, promote the development of the sector, guarantee a level playing field across the Union and support the proper functioning of the common market organisation, while protecting **human and animal**~~public~~ health ~~interests~~, it is necessary to lay down harmonised rules at Union level for the production and marketing of hemp agricultural products that provide public health safeguards. **However, as hemp seeds do not naturally contain**~~In particular, these rules should include a uniform maximum limit of~~ tetrahydrocannabinol**, no additional marketing rules are necessary when the seeds are not destined for sowing.**

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14 Judgment of the Court of Justice of 19 November 2020, B S and C A v. Ministère public et Conseil national de l'ordre des pharmaciens, C-663/18, EU:C:2020:938, paragraphs 72 to 77.

If hemp raw materials or products derived therefrom are marketed or used as food or feed or for ~~content, as well as~~ other **specific uses, additional safeguard measures in EU legislation or, in its absence, in national legislation may apply~~appropriate safeguards~~**.

(22a) Member States have the possibility to introduce or maintain national provisions governing the end use of all parts of the hemp plant and products derived therefrom on grounds of the protection of public health and public security, provided that such provisions comply with Union law, in particular Article 36 of the Treaty on the Functioning of the European Union.

(22b) In order to ensure legal certainty and compliance with hemp production rules, Member States should take measures to ensure the use of certified seeds of certain hemp varieties and should set up a procedure and documentation system for the verification of their tetrahydrocannabinol content. In order to facilitate compliance by the Member States with hemp production rules, the Commission should be empowered to adopt delegated acts to supplement Regulation (EU) No 1308/2013 with rules setting up a procedure for the determination of hemp varieties and for the verification of the tetrahydrocannabinol content of certain hemp varieties.

(22c) Member States should carry out administrative checks to ensure that hemp products for which marketing rules are laid down in this Regulation meet the marketing conditions. In order to facilitate compliance by the Member States with hemp marketing rules, the Commission should be empowered to adopt delegated acts to supplement Regulation (EU) No 1308/2013 with rules relating to the administrative checks on hemp products to be carried out by the Member States.

(23) Furthermore, it is also appropriate to amend Article 189 of Regulation (EU) No 1308/2013 that lays down rules on the imports of hemp in order to ensure consistency with the new Union rules on the marketing of hemp products.

PUBLIC

(24) In order to ensure legal certainty and to avoid disproportionate disruption for farmers, transitional arrangements should be put in place for the placing on the market of hemp products derived from hemp plants sown before the date of application of the new marketing conditions. Those products should be allowed to continue to be marketed subject to the rules in force prior to that date and only until [31 December of the year after the entry into force of this amending Regulation]. After that date, all hemp products should comply with the new marketing conditions.

(25) In order to ensure a smooth transition following the creation of the protein crop sector, ~~and~~ to provide legal certainty and continuity for recognised producer or interbranch organisations, **and to allow flexibility in applying transitional arrangements, Member States should be able to decide**~~it is appropriate to provide~~ that producer or interbranch organisations already recognised before [date of entry into force of this amending Regulation] for products that fall under the new protein crop sector **are**~~should be~~ deemed to be recognised in that sector. Such producer organisations should also retain their recognition for other products listed under other sectors. However, in cases where they no longer meet the relevant conditions for recognition in one or more sectors, Member States should withdraw the corresponding recognition no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation].

(26) In order to ensure a smooth transition following the amendment of the products listed in the flax and hemp sector in Point VIII of Annex I to Regulation (EU) No 1308/2013, ~~and~~ to provide legal certainty and continuity for recognised producer or interbranch organisations, **and to allow flexibility in applying transitional arrangements, Member States should be able to decide**~~it is appropriate to provide~~ that producer or interbranch organisations already recognised before [date of entry into force of this amending Regulation] for products that fall under the amended flax and hemp sector **are**~~should be~~ deemed to be recognised in that sector. Such producer organisations should also retain their recognition for other products listed under other sectors. However, in cases where they no longer meet the relevant conditions for recognition in one or more sectors, Member States should withdraw the corresponding recognition no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation].

PUBLIC

(26a) **Regulation (EU) No 228/2013 of the European Parliament and of the Council introduced a specific derogation from Article 165 of Regulation (EU) No 1308/2013 for interbranch organisations in Reunion given that its local markets are particularly vulnerable to price fluctuations and considering that interbranch organisations bring together producers and other operators of different stages of the food supply chain and can play a role in supporting the maintenance and diversification of local production. In view of Regulations (EU) .../... [NRP Regulation] and (EU) .../... [Performance Regulation], provisions laid down in Regulation (EU) No 228/2013 concerning interbranch agreements in Reunion should be integrated into Regulation (EU) No 1308/2013 and apply from 1 January 2028.**

(27) Article 182(1) of Regulation (EU) No 1308/2013 lays down rules for the calculation method that may be used to fix the **trigger**~~tigger~~ volume for the purpose of the application of additional import duties. In order to correctly reflect the calculation method set out in Article 5(4) of the World Trade Organization (WTO) Agreement on Agriculture, Article 182(1) of Regulation (EU) No 1308/2013 should be amended to specify that the calculation should be based on the average yearly imports in the three preceding years. Furthermore, Article 182(2) of Regulation (EU) No 1308/2013 provides that additional duties are not to be imposed where the imports are unlikely to disturb the Union market, or where the effects would be disproportionate to the intended objective. However, demonstrating that imports are likely to disturb the Union market is difficult and, in case of perishable seasonal products, where such safeguard currently applies, often unfeasible or not sufficiently timely. Since this requirement goes beyond the obligations set out in the WTO Agreement on Agriculture, and in order to address the stakeholders' concerns and simplify the procedure, that paragraph 2 should be deleted.

(28) Regulation (EU) No 1308/2013 lays down rules on the management of tariff quotas. Commission Delegated Regulation (EU) 2020/760[15] lays down rules on penalties for operators for cases of non-compliance with the conditions and eligibility requirements that an operator has to fulfil to submit an application within the tariff quota, that were adopted pursuant to an empowerment for the adoption of delegated acts laid down in Regulation (EU) No 1306/2013. Following the repeal of Regulation (EU) No 1306/2013, the empowerment to adopt delegated acts in this respect should be integrated in Regulation (EU) No 1308/2013.

(29) Article 214a of Regulation (EU) No 1308/2013 allows Finland to grant, under certain conditions, national aid in Southern Finland until 2027, subject to the authorisation of the Commission. In view of the specificities of Finnish agriculture, the granting of that national aid should continue to be allowed for the period 2028 to 2034.

(30) Regulation (EU) No 228/2013 granted a state aid derogation for national payments for the sugar sector in the French outermost regions in order to mitigate the specific constraints on sugar farming in those regions linked to their extreme remoteness, specifically their isolation, insularity, small surface areas, mountainous terrain and climate and their economic dependency on sugar production. In view of Regulations (EU) .../... [NRPF Regulation] and (EU) .../... [Performance Regulation], provisions laid down in Regulation (EU) 228/2013 granting that derogation should be integrated into Regulation (EU) No 1308/2013 and apply from 1 January 2028.

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[15] Commission Delegated Regulation (EU) 2020/760 of 17 December 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the rules for the administration of import and export tariff quotas subject to licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the lodging of securities in the administration of tariff quotas (OJ L 185, 12.6.2020, p. 1, ELI: http://data.europa.eu/eli/reg_del/2020/760/oj).

(31) As underlined in the Joint Communication on the European Preparedness Union Strategy[16], the Union should strengthen its preparedness in response to growing risks and deep uncertainty, with the objective of establishing a secure and resilient Union equipped with the capacities to anticipate, respond to and manage threats and hazards, regardless of their nature or origin. Preparedness considerations should be integrated into all Union policies. The Commission Communication 'EU stockpiling strategy: Boosting the EU's material preparedness for crises'[17] stressed that in severe, long-term, complex, and cross-border crises, it is crucial to coordinate national measures to ensure a steady supply of essential goods and the continuation of vital societal functions.

(32) To ensure the availability of supply, set out as one of the objectives of the CAP in the TFEU, also in time of emergencies and severe crises, preparedness in the agricultural sector should be enhanced. This should be achieved by complementing national initiatives, enhancing coordination among Member States and between Member States and the Commission and improving efficiency and fostering a culture of preparedness and resilience, while fully respecting ~~the~~ national competences**, in particular the management of crises on their territory and relating to national security,** ~~and~~ the specific circumstances of each Member State and the principles of subsidiarity and proportionality.

(33) Member States should therefore be required to adopt baseline preparedness measures that should include the establishment of national and/or regional **food security** preparedness and response plans concerning agricultural products, regular sharing of information on stocks of agricultural products, the designation of competent authorities and **where relevant, cross-border cooperation and coordination with other Member States, as well as** participation in Union-level stress testing exercises**.**

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16 Joint Communication to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions on the European Preparedness Strategy, 26.3.2025 JOIN(2025) 130 final.

17 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU stockpiling strategy: Boosting the EU's material preparedness for crises, COM(2025) 528 final.

Recognising the diversity of national and regional agricultural contexts, Member States may extend the scope of their plans where necessary, such as to include critical inputs for agriculture and agri-food products. The food security preparedness and response plans concerning agricultural products may be part of broader preparedness arrangements under Union or national law. When preparing their plans, Member States should take into account relevant work already carried out in the Member State in order to ensure consistency and avoid duplication. Preparedness and response plans should remain proportionate, risk-based and necessary for supporting preparedness and resilience in the agricultural sector and the availability of agricultural products. Where Member States establish and manage reserves of agricultural products, they should be implemented as part of their national and/or regional preparedness and response plans and should be designed in a manner that minimises market distortions. Those preparedness efforts should be complemented by enhanced obligations during crises or high-risk situations, including mandatory reporting.

(34) In order to ensure the uniform conditions for the implementation of the provisions concerning the availability of supplies in time of emergencies and severe crises, implementing powers should be conferred on the Commission as regards reporting requirements concerning the food security preparedness and response plans, cross-border cooperation in the framework of development and application of the food security preparedness and response plans, coordinated actions for the establishment and management of reserves, such as the identification of categories of products for the establishment of the reserves and the development of joint risk assessments and early warning mechanisms to mitigate cross-border supply risks and ensure continuity of supply during disruptions, voluntary solidarity and mutual assistance mechanisms by which Member States make parts of their reserves available to another Member State facing severe shortages, real-time reporting on stocks and other relevant information as well as technical and procedural requirements for the secure handling and exchange of information. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[18].

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[18] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for

(35) Various provisions of agricultural legislation require that security be lodged to ensure the payment of a sum due if an obligation is not met. This is in particular the case for the management of tariff quotas and of public intervention and private storage. In view of Regulations (EU) .../... [NRPF Regulation] and (EU) .../... [Performance Regulation], provisions laid down in Regulation (EU) 2021/2116 concerning securities should be integrated into Regulation (EU) No 1308/2013. The empowerments to adopt delegated and implementing acts concerning securities should also be maintained and therefore integrated into Regulation (EU) No 1308/2013.

(36) In particular, in order to ensure non-discriminatory treatment, equity and the respect of proportionality when lodging a security, that delegation of power should cover rules on securities specifying the responsible party in the event that an obligation is not met, laying down the specific situations in which the competent authority may waive the requirement of a security, the conditions applicable to the security to be lodged and the guarantor, the conditions for lodging and releasing that security, the specific conditions related to the security lodged in connection with advance payments, and setting out the consequences of breaching the obligations for which a security has been lodged. Furthermore, the implementing powers of the Commission should cover the form of the securities to be lodged and the procedure for lodging the securities, for accepting them, and for replacing the original securities; the procedures for the release of securities; and the notification to be made by Member States or by the Commission in the context of securities.

(37) Regulation (EU) .../... [NRPF Regulation] provides that as regards expenditure for public intervention, the Commission has in certain cases to fix the uniform standard amounts for material operations arising from storage and, where appropriate, for the processing of the products eligible for public intervention referred in Article 11 of Regulation (EU) No 1308/2013. The relevant implementing acts are to be adopted in accordance with the advisory procedure laid down in Regulation (EU) No 182/2011. For the adoption of these implementing acts the Commission should be assisted by the Committee for the Common Organisation of the Agricultural markets established by Regulation (EU) No 1308/2013.

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control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).

Since that Regulation does not contain any reference to the advisory procedure of Regulation (EU) No 182/2011, a reference to that procedure should be inserted in Regulation (EU) No 1308/2013.

(38) Section B, point IV, of Annex IV to Regulation (EU) No 1308/2013 lays down that the grading methods to assess the lean-meat content for the purposes of the Union scale for the classification of pig carcasses are to be authorised by the Commission. Considering that the pig grading methods to assess the lean-meat content are authorised per Member State, for the sake of simplicity and reduction of administrative burden, the grading methods should be authorised by Member States instead of the Commission**, under the common peer-review procedure, supervised by the Commission, established in Commission Delegated Regulation EU 2017/1182**.

(39) Point VIII of Annex X to Regulation (EU) No 1308/2013 provides that delivery contracts between beet sellers and sugar undertaking are to set out the arrangements for the return or compensation of beet pulp. In order to ensure greater legal clarity and reinforce the protection of the rights of beet sellers, it is appropriate to amend Annex X to that Regulation to explicitly provide that the beet pulp obtained from the beet delivered remains the property of the beet seller unless otherwise agreed. To ensure transparency and balanced contractual relations, delivery contracts should explicitly stipulate the arrangements for the return, retention or processing of the pulp, including, where applicable, the quantities concerned, the sharing of pressing or drying costs, and the price or calculation method for any compensation due.

(40) Regulation (EU) No 1308/2013 should therefore be amended accordingly.

(41) In order to give stakeholders sufficient time to adapt to the changes, the amendments related to agreements within the trade for the sugar sector should apply from [1 October of the year after the date of entry into force of this Regulation].

(42) In order to give stakeholders sufficient time to adapt, the rules on the conditions for the marketing, production and imports of hemp should apply from ~~[~~1 January **at least** ~~after the date of entry into force of this Regulation] and the rules on meat-related terms should apply from [~~12 months after the date of entry into force of this Regulation~~]~~.

PUBLIC

(43) In order to give Member States time to start implementing the provisions on the availability of supplies in time of emergencies and severe crises, these provisions should apply from [**18**~~12~~ months after the date of entry into force of this Regulation],

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) No 1308/2013

Regulation (EU) No 1308/2013 is amended as follows:

(1) in Article 1(2), point (d) is replaced by the following:

‘(d) protein crop sector, Part IV;’

(2) Article 2 is replaced by the following:

‘Article 2

General common agricultural policy (CAP) provisions

Regulation (EU) .../... of the European Parliament and of the Council [NRPF Regulation]* and Regulation (EU) …/… of the European Parliament and of the Council [Performance Regulation]** and the provisions adopted pursuant to them shall apply in relation to the measures laid down in this Regulation.

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* Regulation (EU) .../... of the European Parliament and of the Council [NRPF Regulation] (OJ L …, ELI:).

** Regulation (EU) .../... of the European Parliament and of the Council [Performance Regulation] (OJ L …, ELI:).;’

PUBLIC

(3) Article 3 is amended as follows:

(a) paragraph 3 is deleted;

(b) in paragraph 5, the following point is added:

'(c) "outermost regions" means the regions referred to in Article 349 TFEU.;'

(4) in Article 6, point (b) is replaced by the following:

'(b) 1 April to 31 March of the following year for the silkworm sector;~~;~~'

(5) Article 7 is deleted;

(5a) in Article 13(1), point (c) is replaced as follows:

'(c) may be opened for the beef and veal sector by the Commission, by means of implementing acts adopted without applying the procedure referred to in Article 229(2), (3) or (4), if, over a representative period determined pursuant to point (c) of the first paragraph of Article 20 the average market price in a Member State or in a region of a Member State, recorded on the basis of the Union scale for the classification of carcasses of bovine animals referred to in point A of Annex IV, is below 85% of the reference threshold laid down in point (d) of Article 1a(1) of Council Regulation (EU) No 1370/2013.'

(6) the references to 'Article 229(2) or (3)' in Articles ~~13(1)(c)~~, 13(2), 21, second subparagraph, 116, 149(6), second subparagraph, 152(1c), second subparagraph, 175, second subparagraph, 179, second subparagraph, 183, second subparagraph, 193a(2), 213 and 216(2)~~, should~~ **shall** be replaced by 'Article 229(2), (3) or (4)';

PUBLIC

(7) in Part II, Title I, Chapter I, Section 2, the following Article is added:

‘Article 16a

Public intervention expenditure

The Commission is empowered to adopt delegated acts in accordance with Article 227 supplementing this Regulation with rules on:

(a) the type of measures eligible for Union financing and the reimbursement conditions;

(b) the eligibility conditions and calculation methods based on the information actually observed by the paying agencies, on flat rates determined by the Commission, or on flat-rate or non-flat-rate amounts provided for by the agricultural legislation in specific sectors;

(c) the valuation of operations in connection with public intervention, the measures to be taken in the case of loss or deterioration of products under the public intervention, and the determination of the amounts to be financed.;’

(7a) in Article 18(1), point (a) is replaced as follows:

‘(a) average recorded Union market prices and reference thresholds laid down in Article 1a(1) of Council Regulation (EU) No 1370/2013 and production costs for the products concerned; and/or ’

(8) in Article 19(5), the following point is added:

‘(d) laying down the rules on payment of aid and identifying cases where no aid is paid or the aid is reduced in case operators do not comply with their obligations relating to the conditions for public intervention or for private storage as referred to in Sections 2 and 3.;’

(9) in Article 20, first subparagraph, the following points are added:

‘(v) rules necessary for the tests and methods to be applied in order to establish the eligibility of products for public intervention and private storage and the use of tendering procedures for public interventions or for private storage;

PUBLIC

(w) rules on administrative and on-the-spot checks to be conducted by Member States with regard to the respect of obligations, commitments and eligibility criteria for public intervention or for private storage as referred to in Sections 2 and 3;

(x) detailed rules for the application and calculation of administrative penalties by Member States when operators do not comply with the eligibility criteria, commitments or other obligations relating to the conditions for public intervention or for private storage as referred to in Sections 2 and 3.;'

(10) in Part II, Title I, Chapter II is deleted;

(11) in Article 23a, the following **paragraphs are**~~paragraph is~~ inserted:

'1a. In school year 2027/2028, the aid under the school scheme allocated for the distribution of products, the accompanying educational measures and the related costs referred to in Article 23(1) shall not exceed EUR **92 001 722,9 for the period from 1 August to 31 December 2027**~~90 001 722,9~~.;

4a. Paragraphs 3 and 4 shall not apply to school year 2027/2028.; '

(12) in Part II, Title I, the following Chapter is inserted:

'CHAPTER IIa

Types of interventions referred to in Regulation (EU) .../... [NRPF Regulation]

Section 1

General provisions

Article 26

Scope

This Chapter lays down rules on types of interventions **set out in Regulations**~~provided for in Regulation~~ (EU) .../... [NRPF **Regulation] and .../... [CAP** Regulation] related to the EU school scheme and certain sectors referred to in Article 1 of this Regulation.

This Chapter applies to Union support financed by the National and Regional Partnership Fund (the 'Fund') for interventions specified in the National and Regional Partnership Plans (the 'NRP Plans') drawn up by a Member State and approved by the Commission, covering the period from 1 January 2028 to 31 December 2034.

Unless otherwise provided for in this Chapter, Regulations (EU) .../... [NRPF **Regulation], (EU) .../... [CAP** Regulation] and (EU) .../... [Performance Regulation] and the provisions adopted pursuant to them apply to the types of interventions referred to in this Chapter.

Section 2

EU school scheme

Article 27

Scope and general rules

1. This Section lays down rules concerning the types of interventions in the NRP Plans to support the distribution of agricultural products to children in educational establishments in order to increase the consumption of selected agricultural products and to improve children's eating habits ('EU school scheme').

2. The participants in the EU school scheme shall be children attending educational establishments**, which may include nurseries, pre-schools, primary and secondary level educational establishments,** which are administered or recognised by the Member States' competent authorities.

   Member States shall establish in their NRP Plans the eligibility criteria for participants in the EU school scheme. In cases where Member States consider it necessary for the attainment of the objectives of the school scheme, they may focus on certain age group or prioritise certain groups of children according to socio-economic considerations.

3. Member States shall establish in their NRP Plans the categories of beneficiaries of the interventions in the EU school scheme which shall be selected among educational establishments or authorities, organisations acting on their behalf, suppliers, or any other public or private **law** bodies involved in the management or provision of any of the types of interventions referred to in paragraph 4.

4. Member States shall establish and provide support for ~~interventions based on~~ the following types of interventions under the conditions laid down in this Section and as further specified in their NRP Plans:

   (a) supply and distribution of agricultural products;

   (b) **accompanying** awareness-raising **activities**~~measures~~.

5. Member States shall ensure that educational establishments participating in the EU school scheme publicise~~, at school premises and other relevant places,~~ their involvement in the EU school scheme and the fact that it is subsidised by the Union. Member States shall provide for the use of any suitable publicity tools, which may include posters, dedicated websites, informative graphic material, and information and awareness-raising campaigns. The Union emblem and funding statement shall be used in accordance with Annex V to Regulation (EU) …/... [Performance Regulation].

6. Member States shall report under the data set related to the operation referred to in Article 63(1) [Data collection and recording], point (e), of Regulation (EU) …/… [NRPF] about the funds used for the supply and distribution of each of the product groups listed in Article 28(1) of this Regulation and for the **accompanying awareness-raising activities**~~awareness raising interventions~~ referred to in Article 29 of this Regulation**. Member States shall also report under the same data set on**~~,~~ the number of educational establishments and of children participating in the EU school scheme~~, the average portion size and the number of delivered portions~~, the quantities of products supplied broken down by product groups and by organic products, and if applicable, of products referred to in Article 29(2) of this Regulation, and the **accompanying** awareness-raising **activities**~~interventions~~ implemented.

6a. The EU school scheme shall be without prejudice to any separate national school schemes which are compatible with Union legislation. Union funding may be used to extend the scope or effectiveness of any existing national school schemes or school distribution schemes providing fruit, vegetables and milk in educational establishments but shall not replace funding for those existing national schemes, except for free distribution of meals to children in educational establishments.

Article 28

Supply and distribution of agricultural products

1. Only **products from** the following **product groups**~~products~~ shall be eligible for supply and distribution under the EU school scheme:

   (a) fruit and vegetables listed in Part IX of Annex I**, and fresh bananas**, **excluding plantains, within CN code 0803 90**;

   (b) processed fruit and vegetable products listed in Part X **of Annex I**;

   ~~(c) fresh bananas, excluding plantains, within CN code 0803 90;~~

   (d) drinking milk~~, as defined~~**~~cheese, curd, yoghurt and other fermented or acidified milk products without added flavouring, fruit, nuts or cocoa listed in Part IV~~XVI ~~of Annex VII;~~I. ;**

   (da) cheese, curd, yoghurt and other fermented or acidified milk products without added flavouring, fruit, nuts or cocoa listed in Part XVI of Annex I.

2. Products distributed under the EU school scheme shall not contain more than **15**~~10~~ % of free sugars or more than **35 % fats, except for nuts**~~30 % fats~~.

3. Products distributed under the EU school scheme shall not contain any of the following:

   (a) added sugars;

   (b) added salt;

   (c) added fat;

   (d) added sweeteners;

PUBLIC

(e) added artificial flavour enhancers E 620 to E 650 as defined in Regulation (EC) No 1333/2008 of the European Parliament and of the Council*.

~~2b.~~ Notwithstanding the first subparagraph of this paragraph, Member States may, after obtaining the appropriate authorisation from their authorities responsible for health and nutrition in accordance with their national procedures, decide that eligible products referred to in paragraph 1, points (b) and **(da)**~~(d)~~, may contain limited quantities of added sugar, added salt and/or added fat, which are necessary to process products and define the maximum daily intakes.

4. Member States shall prioritise the distribution of products of **one**~~either~~ or both of the following groups:

(a) ~~**seasonal**~~ fresh fruit and vegetables;

(b) ~~**skimmed or semi-skimmed**~~ unsweetened drinking milk ~~**and lactose-free versions thereof**~~.

5. Member States shall, taking into account national circumstances, prioritise the distribution of products originating in the Union and one or more of the following:

(a) products with low climate footprint;

(b) products which are certified according to organic production standards**, according to Regulation (EU) 2018/848**;

(c) products which are contained in sustainable packaging;

(d) products which have been produced in compliance with animal welfare standards or practices which are higher than those provided for in Union legislation;

(e) products which are locally produced and marketed through short supply chains;

(ea) products which are seasonal;

(f) products which originate from small farms as determined by Member States;

(g) products **marketed under the terms 'fair' or 'equitable' or terms having an equivalent meaning as specified in Article 88a;**~~which comply with fair-trade production standards.~~

(ga) products recognised under the quality schemes established by Regulation (EU) 2024/1143.

6. Member States shall**, in consultation with their national and/or regional authorities responsible for health and nutrition,** establish in their NRP Plans the list of products that may be supplied and distributed and the prioritisation criteria.

7. Products distributed under the EU school scheme:

(a) shall not be used in the preparation of the regular school meals;

(b) shall not replace products that are part of the regular school meals through the financial contribution from public and/or private entities, except where educational establishments distribute regular school meals free of charge;

(c) **shall**~~should~~ remain at all times clearly recognisable as part of the EU school scheme, through suitable communication and publicity measures.

Member States shall ensure the added value of the EU school scheme in relation to the provision of other meals in educational establishments.

Article 29

Accompanying awareness-raising~~Awareness-raising~~**activities**~~interventions~~

1. The **accompanying** awareness-raising **activities**~~interventions~~ shall be directly linked to the objectives of the EU school scheme of increasing the consumption of selected agricultural products and improving children's eating habits.

They shall be aimed at reconnecting children with agriculture and the variety of Union agricultural products, particularly those produced in their region, and raising awareness about related issues, such as healthy eating habits, local food chains, organic farming, sustainable food production and consumption and combating food waste.

2. In addition to the products supplied and distributed as provided for in Article 28, Member States may provide for the tasting of other agricultural products listed in Annex I.

3. Member States shall ensure that all the children participating in the EU school scheme can take part in **accompanying** awareness-raising **activities**~~interventions~~.

Member States may decide to take the regular school curriculum or other policies or programmes into account for the purpose of complying with the obligation laid down in the first subparagraph. However, no Union support shall be provided for those activities.

3a. The amount of Union financial assistance set out in the NRP Plan for the accompanying awareness-raising activities referred to in this Article shall not exceed 20 % of the total amount of the Union financial assistance and the national contribution set out in the NRP Plan for the EU school scheme interventions referred to in Article 35(6), first subparagraph, of Regulation (EU) […] [NRP Regulation].

Section 3

Support for interventions in certain sectors

Article 30

Scope

1. This Section lays down rules concerning ~~types of~~ interventions in the sectors listed in Article 1(2), points (a) to (i), (k), (l) and (m), (o) to (t), (v) and (w), and products listed in Annex Ia.

2. Interventions in the **sector**~~sectors~~ referred to in Article 1(2), **point**~~points (d), (f), (g) and~~ (i), shall be mandatory for Member States with producer organisations or associations of producer organisations in **that sector**~~those sectors~~ recognised under this Regulation.

PUBLIC

2a. Interventions in the wine sector referred to in Article 1(2) point (l) shall be mandatory. However, ~~for~~Member States ~~with recognised producer organisations~~may decide not to implement interventions in the wine sector~~.~~ provided that they justify this decision in their NRP plan where:

~~By way of derogation from the first subparagraph, Member States may decide not to provide for interventions in the sectors referred to in Article 1(2), point (l) a) where~~

~~(~~a) they identify insufficient interest or operational capacity among ~~recognised producer organisations and, if relevant, associations of producer organisations~~beneficiaries in the wine sector~~ concerned~~ to implement the interventions effectively; or b) ~~where~~ they identify that mandatory interventions in the wine sector~~ concerned~~ would not contribute to achieving the CAP objectives in that Member State, having regard to the specific needs of the sector and other agricultural sectors of strategic importance~~.~~; c) they demonstrate that the objectives and needs of the wine sector are adequately addressed through other measures, considering the specific circumstances of that Member ~~States shall justify that decision in their NRP Plans~~State.

3. **Interventions~~Intervention~~** in the apiculture sector referred to in Article 1(2), point (v), shall be mandatory for all Member States.

Article 31

Types of intervention in certain sectors

Member States may establish and provide support in the sectors **referred to in Article 30(1) of this Regulation** for any of the types of interventions laid down in Article –12 [Risk management tools] and in Article 13 [Investments for farmers] of Regulation (EU) …/… of the European Parliament and of the Council [CAP Regulation]**, and any of the following types of interventions under the conditions laid down in this Section and as further specified in their NRP Plans:

(a) investments in tangible and intangible assets other than those referred to in Article 13 [Investments for farmers] of Regulation (EU) …/… [CAP Regulation];

(b) training, ~~information, including~~ coaching**, knowledge transfer** and exchange of best practices;

(c) advisory services **and technical assistance**;

(d) promotion and marketing**, including market monitoring**;

(e) **actions in** research, innovation and experimental production methods;

(f) actions to mitigate and/or to adapt to climate change;

(g) actions to protect and/or improve the environment;

(ga) actions to increase sustainability and efficiency of transport and of storage of products;

(gb) implementation of Union and national quality schemes;

(h) **actions to conduct or support** laboratory tests ~~and to laboratories for analysis~~;

(i) implementation of traceability and certification systems;

(j) **actions in** collective storage of products;

(k) green harvesting, consisting of the total harvesting on a given area of unripe non-marketable products, which have not been damaged prior to the green harvesting, and thereby reducing the yield of the relevant area to zero;

(l) non-harvesting, consisting of the termination of the current production cycle on the area concerned where the product is well developed and is of sound, fair and marketable quality, excluding destruction of products due to a climatic event or disease;

(m) implementation and management of third-country sanitary and phytosanitary requirements in the territory of the Union to facilitate access to third-country markets;

PUBLIC

(n) sustainable restructuring and conversion of vineyards through varietal conversions, relocation of vineyards, and improvements to vineyard management techniques;

(na) permanent grubbing-up of productive vineyards;

(nb) actions to prevent the spread of plant and animal pests and diseases, including to combat invaders, where their occurrence has been formally recognised by the competent authority of the Member State;

(o) distillation of by-products of wine making;

(p) **in sectors other than the apiculture and the wine sectors,** market withdrawal for free distribution or other destinations, including where necessary processing to facilitate such withdrawal;

(q) actions in the apiculture sector to preserve or increase the existing number of beehives in the Union**, including bee breeding,** and actions to enhance product quality**;**~~.~~

(qa) actions to support laboratories for analysis in the apiculture sector.

Article 32

Beneficiaries

1. Member States shall establish in their NRP Plans which operators may benefit from interventions in the sectors referred to in Article 30(1).

2. In their NRP Plans, Member States shall establish that producer organisations and association of producer organisations recognised under this Regulation and**, if Member States so decide,** producer groups as referred to in paragraph 3 of this Article are the sole beneficiaries of the interventions referred to in Article 30(2).

PUBLIC

3. Member States may decide that producer groups and entities representing other **forms**~~form~~ of cooperation between producers ~~that are~~ constituted at the initiative of producers and controlled by them, may be beneficiaries of the interventions in the sectors referred to in Article 30(1). Such forms of cooperation shall be identified by the competent authority of a Member State as producer groups for the duration of their first operational programme**, which shall not exceed five years**. **Those producer groups shall, in addition to an**~~An~~ operational programme**, draw up and submit simultaneously to the competent authorities** ~~and~~ a recognition plan **of four years** with a view to **fulfilling**~~be recognised as producer organisations in accordance with~~ the requirements **for recognition as producers organisations** laid down in Articles 152, 153, 154, 156 or 161**. Support granted to a** ~~prepared by those~~ producer **group that has not been recognised as a**~~groups shall be submitted to the competent authorities simultaneously. The~~ producer **organisation by the end of the operational programme and the**~~groups shall implement that~~ recognition plan **shall be recovered**.

Article 33

Operational programmes and operational funds

1. Interventions of producer organisations, associations of producer organisations or**, where applicable,** producer groups as referred to in Article **32(3)**~~32(2)~~ carried out in the sectors referred to in Article 30(1) shall be implemented through operational programmes approved by the Member State.

2. Operational programmes shall have a minimum duration of three years and a maximum duration of seven years.

3. Operational programmes shall be financed through operational funds consisting of:

   (a) financial contributions from:

      (i) members of the producer organisation or the producer organisation itself or both; or

      (ii) members of the association of producer organisations or the association of producer organisations itself or both; or

(iii) members of the producer group or the producer group itself or both**, if applicable**;

(b) Union financial assistance;

(c) national contribution **in accordance with Article 35(8), first subparagraph of Regulation (EU) .../... [NRP Regulation].**

3a **The sum of the national contribution and the Union financial assistance allocated to operational funds shall be equal to the financial contribution of the members of the producer organisations, their associations or, where applicable, producer groups.**[19]

4. ~~**Member States shall set out in their NRP Plans the maximum percentages of the**~~ **Operational**~~**operational**~~**programmes shall include several**~~**fund which may be spent on any individual type of intervention in order to ensure a balance between the different**~~ types of interventions **referred to in Article 31 linked to one or more of the CAP-relevant specific objectives set out in Article 3(1), point (d), of Regulation (EU) .../... [NRP] pursuing one or more of the following sectoral objectives: (a) concentration of supply and placing on the market of the products produced by their members; (b) improving medium- and long-term competitiveness; (c) increasing the commercial value of products; (d) reducing the impact of production on the climate and the environment; (e) crisis prevention and risk management; (f) planning and organising of production, adjusting production to demand.**

1. Member States shall indicate in their NRP Plans how the value of marketed production **referred to in Article 33a of this Regulation** is calculated for each sector.

[19] This provision is an agreement on principles and is subject to review after the agreement on the MFF and the NRPP to ensure any necessary alignment

Article 33a

Financing of operational programmes

1. Subject to compliance with Article 20(4) of Regulation (EU) [NRP] the Union financial assistance and the national contribution to be granted to recognised producer organisations, associations of producer organisations or, where applicable, identified producer groups ~~implementing interventions in certain~~in respect of each intervention implemented in the sectors referred to in Article ~~31~~30(1) of this Regulation shall be limited to:

(a) 4.1% of the value of the marketed production of each producer organisation or, where applicable, producer group;

(b) 4.5% of the value of marketed production of each association of producer organisations;

(c) 5% of the value of marketed production of each transnational producer organisation or transnational association of producer organisations.

Those limits may be increased by 0,5 percentage points, where the operational programme includes one or more interventions linked to generational renewal, research and innovation, risk management or environment and climate, provided the amount in excess of the relevant percentage set out in the first subparagraph, points (a), (b) or (c), is used solely to finance expenditure related to the implementation of these interventions.

3. If Member States establish in their NRP Plans that the entities referred to in Article 32(3) of this Regulation may be beneficiaries of the interventions in certain sectors referred to in Article 31, Member States shall also provide support for the setting-up of producer organisations in accordance with Article 74 of Regulation (EU) [NRP Regulation] and Article 17a of Regulation (EU) [CAP] in addition to the support provided for the implementation of the intervention.

PUBLIC

4. The Union financial assistance and national contribution to each intervention in certain sectors referred to in Article 31 shall together not exceed 100 % of actual costs of the intervention.

Article 33b

Specific rules on distillation of by-product of wine-making

1. The support rate for distillation of by-products of wine making referred to in Article 31, point (o), shall be fixed per % volume and per hectolitre of alcohol produced. No support shall be paid for the volume of alcohol contained in the by-products to be distilled which exceeds 10 % in relation to the volume of alcohol contained in the wine produced.

2. Member States providing for support for distillation of by-products of wine making shall ensure that the support is paid to distillers that process by-products of winemaking delivered for distillation into raw alcohol with an alcoholic strength of at least 92 % by volume.

3. The support shall include a lump sum amount to compensate for the costs of collection of the by-products of winemaking. That amount shall be transferred from the distiller to the producer in cases where the relevant costs are borne by the latter.

4. Member States providing for support for distillation of by-products of wine making shall ensure that the alcohol resulting from the distillation for which a support has been granted is used exclusively for industrial or energy purposes that do not distort competition.

PUBLIC

Article 34

Value of marketed production

2. The value of the marketed production **of**~~for~~ a producer organisation, association of producer organisations or producer group shall be calculated on the basis of the production of **that**~~the producer~~ organisation**,** ~~or producer group or~~ association **or group**~~of producer organisations~~ and its producer members that has been put on the market by **the**~~this~~ organisation, association or producer group**. It** ~~and~~ shall ~~only~~ include **only** the production of those products for which the producer organisation, association or producer group is recognised or identified.

By way of derogation from the first subparagraph, Member States may decide that in the hops sector, the value of marketed production is replaced by the volume of marketable production calculated on the basis of the number of hectares cultivated with hops represented by each producer organisation.

~~**In addition, the value of marketed production shall be calculated at fresh stage or at the first processing stage on which the product is normally marketed, in bulk, where products are allowed to be marketed in bulk. It shall be further calculated at the 'ex-organisation, association or producer group' stage or at 'ex-subsidiary' stage, provided that at least 90 % of the shares or capital of the subsidiary is owned by the producer organisation, association or producer group.**~~

~~**The value of marketed production shall include the value of the by-products, of market withdrawals for free distribution, of outsourced activities or of the insurance indemnification received in respect of harvest and production insurance actions.**~~

~~**Cost of processing in case of processed products, VAT and costs of transport internal to the organisation or producer group for distance exceeding 300 km shall not be included in the calculation of the value of marketed production.**~~

PUBLIC

~~Doubled counting of the values of marketed production shall be prohibited. In order to avoid double counting of values of marketed production, the production of the members of a producer organisation, association of producer organisations or producer group which is marketed by another such organisation shall only be counted in the value of the marketed production of the latter organisation.~~

3. **For the purposes of paragraph 1,** Member States shall determine a 12-month calendar reference period **within**~~during~~ the three years **preceding**~~prior to~~ the year for which the aid is requested.

~~5.~~ ~~Where historical data on marketed production for newly recognised producer organisations, association or producer group is insufficient for the purposes of the first subparagraph, Member States shall accept the value of marketed production communicated by the producer organisation, association or group for the purpose of its recognition.~~

~~6~~**.** ~~Where for a product a reduction of at least 35 % in the value of marketed production for a given year in relation to the average of the three previous 12-month reference periods has occurred due to natural disasters, climatic events, plant diseases or pest infestations or any other reasons falling outside the responsibility and control of the organisation, association or group, the value of marketed production of that product shall be deemed to represent 85 % of the average value in the three previous 12-month reference periods. If preventive measures were undertaken, the value of marketed production of that product shall be deemed to represent 100 % of the average value in the three previous 12-month reference periods.~~

PUBLIC

Article 35

Delegated powers for additional requirements for types of intervention

1. The Commission is empowered to adopt delegated acts in accordance with Article 227 in order to supplement this Regulation with requirements additional to those laid down in this Section as regards:

(a) ensuring the proper functioning of types of intervention laid down in this Section, in particular by avoiding distortion of competition in the internal market and to ensure sustainability;

(aa) rules concerning expenditure and costs related to the interventions referred to in Article 31 as well as administrative and personnel costs of producer organisations or other beneficiaries when implementing those interventions;

(b) ~~the~~ rules under which producers are to withdraw the by-products of winemaking, rules on exceptions to that obligation in order to avoid additional administrative burden and rules for the voluntary certification of distillers**;**~~.~~

(ba) rules for the calculation of the value of marketed production for each sector, including the reference periods;

(bb) rules concerning operational funds of transnational producer organisations and transnational associations of producer organisations.

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* Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16, ELI: http://data.europa.eu/eli/reg/2008/1333/oj).

** Regulation (EU) …/… of the European Parliament and of the Council [CAP] (OJ L …, ELI:…).;

(13) **in** Article **75(1) the following points are added**~~75 is amended as follows~~:

~~(a) in paragraph 1, the following points are added:~~

‘(j) protein crops;

(k) beef;

(l) pigmeat;

(m) sheepmeat;

(n) goatmeat;

(o) ~~cheese.;~~

(oa) rice.’

~~(b) in paragraph 3, point (j) is replaced by the following:~~

~~‘(j) the place of farming and/or origin;’~~

~~(14) in Article 78(1), the following points are added:~~

~~‘(h) pigmeat;~~

~~(i) sheepmeat;~~

~~(j) goatmeat.;’~~

PUBLIC

(15) ~~in~~ Article 90a~~, paragraph 4 is replaced by the following~~ **is amended as follows**:

(a) paragraph 2 is replaced by the following:

2. Without prejudice to any specific provisions adopted by the Commission, imports into the Union of the products referred to in Article 189(1), points (a) to (d), shall be subject to checks to determine whether the conditions provided for in Article 189(1) are met.

(b) paragraph 4 is replaced by the following:

4. In the event of an infringement of Union rules laid down in this Regulation in the wine sector, Member States shall apply proportionate, effective and dissuasive administrative penalties. Member States shall not apply such penalties where the non-compliance is of a minor nature.;

(16) in Part II, Title II, Chapter I, the following Section is added:

‘Section 4

Marketing of quality agricultural products specific to the outermost regions

Article 123a

Logo

1. A logo may be used with a view to improving awareness and increasing the consumption of quality agricultural products, whether processed or not, specific to the outermost regions.

2. The conditions for using the logo referred to in paragraph 1 shall be proposed by the trade organisations concerned. The national authorities shall forward such proposals, with their opinion thereon, to the Commission. Use of the logo shall be monitored by a public authority or a body approved by the competent national authorities.

PUBLIC

3. The Commission is empowered to adopt delegated acts, in accordance with Article 227, concerning the conditions for exercising the right to use the logo and for reproducing and using it. Those conditions shall be set to improve awareness of high-quality agricultural products from the outermost regions and to increase the consumption thereof, regardless of whether those products are processed or non-processed.

4. The Commission shall adopt implementing acts concerning the detailed rules concerning the use of the logo and the minimum characteristics for the checks and monitoring which the Member States shall perform. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).;'

(17) in Article 125, paragraph 1 is replaced by the following:

'1. The terms for buying sugar beet and sugar cane between Union growers of sugar beet and sugar cane and Union sugar undertakings, including pre-sowing delivery contracts, shall be governed by written agreements within the trade as described in Part II, Section A, point 6, of Annex II.;'

(18) in Article 145(3), the first sentence is replaced by the following:

'Member States which provide in their NRP Plans for restructuring and conversion of vineyards in accordance with Article 31, point (n), shall on the basis of the vineyard register submit to the Commission by 1 March each year an updated inventory of their production potential.;'

PUBLIC

(19) in Part II, Title II, Chapter II, the following Section is inserted:

‘Section 2a

Hemp

Article 147b

Production of hemp

1. The following products may be produced in the Union if they are **obtained from a plant of**~~grown from~~ a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum Δ9-tetrahydrocannabinol content not exceeding 0,3 % and they meet the following conditions:

   (a) raw true hemp falling within CN code 5302 grown from seeds certified in accordance with Council Directive 2002/57/EC* or in accordance with Article 10 of Commission Directive 2008/62/EC** in the case of conservation varieties;

   (b) hemp seeds for sowing falling within CN code ex 1207 99 20 produced in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;

   (c) hemp seeds other than for sowing, falling within CN code 1207 99 91 grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;

   (d) all other parts of the hemp plant falling withing CN code 1211 90 86 grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties.

2. Products referred to in paragraph 1 not meeting the conditions laid down therein may be produced on the territory of Member States that allow so for their territory and under the conditions they lay down in accordance with Union, international and national law.

PUBLIC

2a. Member States shall carry out checks, based on a risk analysis to verify whether the products referred to in paragraph 1 meet the conditions laid down in that paragraph.

3a. The Commission is empowered to adopt delegated acts in accordance with Article 227, in order to supplement this Regulation by establishing the procedure for the determination of hemp varieties, as well as the verification of their tetrahydrocannabinol content.

Article 147c

Marketing of hemp

1. The following products may only be marketed in the Union if the following conditions are met:

   (a) raw true hemp falling within CN code 5302, produced from a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum Δ9-tetrahydrocannabinol content not exceeding 0,3 % and grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;

   (b) hemp seeds for sowing falling within CN code ex 1207 99 20 of a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum Δ9-tetrahydrocannabinol content not exceeding 0,3 %, marketed in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties;

   (c) all other parts of the hemp plant falling withing CN code 1211 90 86, of a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum Δ9-tetrahydrocannabinol content not exceeding 0,3 % and grown from seeds certified in accordance with Directive 2002/57/EC or in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties.

PUBLIC

Hemp seeds other than for sowing, falling within CN code 1207 99 91 may be marketed in the Union.

2. By way of derogation from paragraph 1, products listed in that paragraph not complying with the conditions laid down therein may be marketed for use for medical and scientific purposes in accordance with Union, international and national law.

3. Hemp products referred to in paragraph 1 derived from hemp plants sown before [1 January of the year after the date of entry into force of this Regulation] may continue to be marketed in accordance with the rules in force prior to that date until [31 December of the year after the entry into force of the amending Regulation].

4. Member States shall take measures and carry out administrative checks to ensure that hemp products referred to in paragraph 1 that do not meet the conditions laid down in that paragraph are not placed on the market or, if they have already been placed on the market, are withdrawn from the market.

4a The Commission is empowered to adopt delegated acts in accordance with Article 227, in order to supplement this Regulation by establishing the minimum rules relating to the administrative checks on hemp products referred to in paragraph 4 to be carried out by the Member States.

5. This Article shall be without prejudice to Union rules and to national rules governing the end use of the products concerned, including on grounds of the protection of public health and public security.

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* Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants (OJ L 193, 20.7.2002, p. 74, ELI: http://data.europa.eu/eli/dir/2002/57/oj).

** Commission Directive 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for

marketing of seed and seed potatoes of those landraces and varieties (OJ L 162, 21.6.2008, p. 13, ELI: http://data.europa.eu/eli/dir/2008/62/oj).;'

(20) in Article 154, the following paragraphs are inserted:

'3a. **Member States may decide that producer**~~Producer~~ organisations which have been recognised before [date of entry into force of this amending Regulation] for one or more products in the protein crop sector **are**~~shall be deemed to be~~ recognised in that sector as producer organisations pursuant to Article 152. Those producer organisations shall also retain their recognition for other products recognised under other sectors. **Member States shall, without delay, take all necessary measures to inform the producer organisations concerned, of their decision.** However, where those producer organisations ~~do~~ no longer fulfil the conditions laid down in paragraph 1 of this Article for one or more sectors, Member States shall withdraw their recognition for the **sectors** concerned ~~sectors~~ no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation]. **Eligibility for Union financial support in the sector concerned shall remain subject to compliance with the applicable recognition requirements laid down in Article 152.**

3b. **Member States may decide that producer**~~Producer~~ organisations which have been recognised before [date of entry into force of this amending Regulation] for one or more products added under point VIII of Annex I for the flax and hemp sector **are**~~shall be deemed to be~~ recognised in that sector as producer organisations pursuant to Article 152. Those producer organisations shall also retain their recognition for other products recognised under other sectors**. Member States shall, without delay, take all necessary measures to inform the producer organisations concerned of their decision**. However, where those producer organisations do no longer fulfil the conditions laid down in paragraph 1 of this Article for one or more sectors, Member States shall withdraw their recognition for the **sectors** concerned ~~sectors~~ no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation]. **Eligibility for Union financial support in the sector concerned shall remain subject to compliance with the applicable recognition requirements laid down in this article and in Articles 152, 153, 156 and 161**;'

(21) in Article 158, the following paragraphs are inserted:

‘3a. **Member States may decide that interbranch**~~Interbranch~~ organisations which have been recognised before [date of entry into force of this amending Regulation] for one or more products in the protein crop sector **are**~~shall be deemed to be~~ recognised in that sector as interbranch organisations pursuant to Article 157. Those interbranch organisations shall also retain their recognition for other products recognised under other sectors**. Member States shall, without delay, take all necessary measures to inform the interbranch organisations concerned of their decision**. However, where those interbranch organisations do no longer fulfil the conditions laid down in paragraph 1 of this Article for one or more sectors, Member States shall withdraw their recognition for the **sectors** concerned ~~sectors~~ no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation]. **Eligibility for Union financial support in the sector concerned shall remain subject to compliance with the applicable recognition requirements laid down in Article 157.**

3b. **Member States may decide that interbranch**~~Interbranch~~ organisations which have been recognised before [date of entry into force of this amending Regulation] for one or more products added under point VIII of Annex I for the flax and hemp sector **are**~~shall be deemed to be~~ recognised in that sector as interbranch organisations pursuant to Article 157. Those interbranch organisations shall also retain their recognition for other products recognised under other sectors**. Member States shall, without delay, take all necessary measures to inform the interbranch organisations concerned of their decision**. However, where those interbranch organisations do no longer fulfil the conditions laid down in paragraph 1 of this Article for one or more sectors, Member States shall withdraw their recognition for the **sectors** concerned ~~sectors~~ no later than [31 December 20XX at least 2 full years after the date of entry into force of this amending Regulation]. **Eligibility for Union financial support in the sector concerned shall remain subject to compliance with the applicable recognition requirements laid down in Article 157.**;’

PUBLIC

~~(22) Article 159 is amended as follows:~~

~~(a) in point (a), the following point is added:~~

~~'(v) protein crop sector;'~~

~~(b) point (b) is replaced by the following:~~

~~'(b) interbranch organisations in the olive oil and table olives sector, the tobacco sector and protein crop sector.;'~~

(22a) in Part II, Title II, Chapter III, Section 3, the following Article is inserted:

'Article 165a

Interbranch agreements in Reunion

1. Pursuant to Article 349 of the Treaty, by way of derogation from Article 101(1) of the Treaty and notwithstanding Article 164(4), first subparagraph, points (a) to (n), of this Regulation, where an interbranch organisation recognised pursuant to Article 157 operates exclusively in Reunion and is considered to represent the production of, trade in or processing of one specified product, France may, at the request of that organisation, extend to other operators who are not members of that interbranch organisation rules aimed at supporting the maintenance and diversification of local production in order to increase food security in Reunion, provided that those rules apply only to those operators whose activities are solely carried out in Reunion in relation to products which are destined for the local market.

Notwithstanding Article 164(3) of this regulation, an interbranch organisation is to be regarded as being a representative under this Article where it accounts for at least 70 % of the volume of production, trade or processing of the product or products concerned.

PUBLIC

2. By way of derogation from Article 165, where the rules of a recognised interbranch organisation operating exclusively in Réunion are extended under paragraph 1 of this Article, and the activities covered by those rules are in the general economic interest of economic operators whose activities are solely carried out in Réunion in relation to products which are destined for the local market, France may, after consulting the relevant stakeholders, decide that individual economic operators or groups which are not members of the organisation but which operate on that local market are to pay the organisation all or part of the financial contributions paid by its members, to the extent that such contributions are intended to cover costs that are directly incurred as a result of pursuing the activities in question.

3. France shall inform the Commission of any agreement whose scope is extended in accordance with this Article.'

(23) in Article 173(1), the following point is inserted:

'(ca) the suspension, reduction and recovery for payments of support for interventions in certain sectors referred to in Part II, Title I, Chapter II, Section 2 in case of non-respect of recognition criteria;'

(24) in Article 174(1), first subparagraph, the following points are added:

'(h) rules on administrative and on-the-spot checks to be conducted by Member States on producer organisations or associations of producer organisations to verify compliance with the recognition criteria;

(i) rules on a unique identification system of recognised producer organisations and associations of producer organisations.;'

PUBLIC

(25) Article 182 is amended as follows:

(a) in paragraph 1, the second subparagraph is replaced by the following:

‘The trigger volume shall be equal to either 125 %, 110 % or 105 % of the average yearly imports during the three preceding years for which data are available, depending on whether market access opportunities, defined as imports expressed as a percentage of the corresponding domestic consumption during the three preceding years, are less than or equal to 10 %, greater than 10 % but less than or equal to 30 %, or greater than 30 %, respectively.;’

(b) paragraph 2 is deleted;

(26) in Article 186(1), the following point is added:

‘(e) providing, where necessary, for penalties for operators for cases of non-compliance with the conditions and eligibility requirements that an operator has to fulfil to submit an application within the tariff quota, and in particular when they fail to provide accurate, up-to-date and truthful documents to the licence issuing authority.;’

(27) Article 189 is replaced by the following:

‘Article 189

Imports of hemp

1. The following products may only be imported into the Union if the following conditions are met:

(a) raw true hemp falling within CN code 5302, produced from a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum Δ9-tetrahydrocannabinol content not exceeding 0,3% and grown from seeds certified in accordance with Directive 2002/57/EC or **in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties or** accompanied by proof that the Δ9-tetrahydrocannabinol level of the variety concerned does not exceed 0,3 %;

(b) hemp seeds for sowing falling within CN code ex 1207 99 20 of a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum Δ9-tetrahydrocannabinol content not exceeding 0,3 %, certified in accordance with Directive 2002/57/EC or ~~in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties or~~ accompanied by proof that the Δ9-tetrahydrocannabinol level of the variety concerned does not exceed 0,3 %;

(c) hemp seeds other than for sowing, falling within CN code 1207 99 91 and imported only by importers authorised by the Member State in order to ensure that such seeds are not intended for sowing;

(d) other parts of the hemp plant falling within CN code 1211 90 86 of a variety of Cannabis Sativa L. registered in the Common Catalogue of Varieties of Agricultural Plant Species containing a maximum Δ9-tetrahydrocannabinol content not exceeding 0,3 % and grown from seeds certified in accordance with Directive 2002/57/EC or ~~in accordance with Article 10 of Directive 2008/62/EC in the case of conservation varieties or~~ accompanied by proof that the tetrahydrocannabinol level of the variety concerned does not exceed 0,3 %.

2. By way of derogation from paragraph 1, products referred to in that paragraph not meeting the conditions laid down therein may be imported for use for medical and scientific purposes in accordance with Union, international and national law.;'

PUBLIC

(28) Article 214a is replaced by the following:

‘Article 214a

National payments for certain sectors in Finland

1. Subject to authorisation by the Commission, for the period 2023 to 2027, Finland may continue to grant national aids which it granted in 2022 to producers on the basis of this Article provided that:

   (a) the total amount of income aid is degressive over the whole period and in 2027 does not exceed 67 % of the amount granted in 2022;

   (b) prior to any recourse to this possibility, full use has been made of the support schemes under the CAP for the sectors concerned.

   The Commission shall adopt its authorisation without applying the procedure referred to in Article 229(2), (3) or (4).

2. Subject to authorisation by the Commission, for the period 2028 to 2034, Finland may continue to grant national aids which it granted in 2027 to producers on the basis of this Article provided that:

   (a) the total amount of income aid is degressive over the whole period and in 2034 does not exceed 67 % of the amount granted in 2027;

   (b) prior to any recourse to this possibility, full use has been made of the support schemes under the CAP for the sectors concerned.

   The Commission shall adopt its authorisation without applying the procedure referred to in Article 229(2), (3) or (4).;’

PUBLIC

(29) in Part IV, Chapter II, the following Article is added:

‘Article 214b

National payments for the sugar sector in the French outermost regions

France may grant the sugar sector in the French outermost regions aid of up to EUR 90 million per marketing year.

France shall inform the Commission within 30 days of the end of each marketing year of the amount of aid actually granted.;’

(30) Article 217 is deleted;

(31) in Part V, the following Chapter is inserted:

‘CHAPTER Ib

Availability of supplies in time of emergencies and severe crises

Article 222c

Plans for availability of supplies of agricultural products in time of emergencies and severe crises

1. The Commission and the Member States shall cooperate**, with due respect for the confidentiality of information,** to identify and address structural vulnerabilities **in** the supply chain of agricultural **products** and enhance the coherence of crisis preparedness in the agri-food sector.

2. Member States shall establish, taking into account their specific risk profiles**,** ~~and~~ institutional arrangements**, established crisis management structures and legal framework**, national food security preparedness and response plans to:

   (a) maintain the availability, access and security of supply of agricultural products during emergencies or severe crises at all territorial levels;

   (b) prevent or mitigate supply chain disruptions during emergencies or severe crises at all territorial levels.

PUBLIC

3. The **national** food security preparedness and response plans shall include at least:

(a) monitoring and early warning mechanisms, including assessments of structural supply chain vulnerabilities and risk scenarios ~~for major disruptions~~;

(b) arrangements to **calculate or estimate**~~aggregate~~ data on **overall national** stocks of key agricultural products **determined by Member States**;

(c) allocation of roles and coordination mechanisms among competent authorities at all territorial levels as well as procedures for cooperation with relevant private sector actors;

(d) emergency communication protocols to ensure rapid **and secure** dissemination of information to stakeholders and the general public.

4. Member States shall review their **national** food security preparedness and response plans **where necessary**~~regularly~~.

5. Member States shall designate a ~~national~~ competent authority or contact point responsible for **national** food security preparedness and response **plans and for relevant** coordination with other Member States and the Commission.

6. Member States shall **provide**~~notify~~ summaries of the latest version of their national food security preparedness and response plans referred to in paragraph 2 to the Commission every three years. **The first summary shall be provided by [18 months after the date of entry into force of point (31) of this Regulation].**

7. The Commission may adopt implementing acts:

(a) specifying **minimum content,**~~the~~ format, **structure, means of transmission and**~~reporting requirements,~~ dissemination of the non-confidential parts~~, and timelines~~ for the submission of the summaries of the **national** food security preparedness and response plans;

(b) laying down rules for **voluntary** cross-border cooperation between Member States in the framework of development and application of the food security preparedness and response plans to achieve the objectives referred to in paragraph 2.

PUBLIC

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).

Article 222d

Reserves of agricultural products

1. For the purposes of this Article, “reserves” means stocks held by public or private operators designated for military or civil protection use in emergencies or crises, including humanitarian interventions or stocks kept available to ensure food security during major supply disruptions.

2. Where Member States establish and manage reserves of agricultural products, they shall ensure that such measures are designed in a manner that minimises market distortions, including the following:

   (a) the volume of agricultural products held in reserve shall be determined **by the Member State** on the basis of predefined targets **as referred to in the second subparagraph of paragraph 3**;

   (b) reserve levels shall be reviewed regularly and, where necessary, adjusted on the basis of identified supply chain vulnerabilities and risk assessments;

   (c) the purchase of agricultural products for the reserves shall be conducted at market prices, through tendering **or other appropriate** procedures. The release of agricultural products from reserves onto the market **for stock adjustment or rotation purposes** shall be carried out in a transparent manner, at market prices **or other appropriate procedures to minimise market distortion**;

   (d) operations related to the establishment, maintenance and release of reserves shall be subject to regular monitoring by the competent authorities of the Member States.

PUBLIC

3. Where Member States establish and manage reserves of agricultural products, the reserves shall be implemented as part of a national food security preparedness and response plan, as referred to in Article 222c(2).

The predefined targets referred to in paragraph 2, point (a), shall be set out in the national food security preparedness and response plan referred to in Article 222c(2).

Information concerning the establishment, maintenance and release of reserves shall be included in the summary of the national food security preparedness and response plan referred to in Article 222c(6).

4. The Commission may adopt implementing acts laying down rules:

(a) for coordinated actions ~~for the establishment and management of the reserves referred to in paragraph 1~~, such as **on** the identification of categories of products **in**~~for the establishment of~~ the reserves**,** ~~and the development of~~ joint risk assessments and early warning mechanisms to mitigate cross-border supply risks and ensure continuity of supply during disruptions;

(b) on the implementation of voluntary solidarity and mutual assistance mechanisms by which Member States make parts of their reserves available to another Member State facing severe shortages.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).

PUBLIC

Article 222e

Coordination

1. To support a coordinated Union approach to food security preparedness and agricultural supply chain resilience, the Commission shall establish a European Food Security Crisis preparedness and response Mechanism (EFSCM), bringing together competent authorities of Member States, relevant stakeholder organisations and, where appropriate, representatives of selected third countries. **For discussions on sensitive matters involving national security, such as detailed information on stock levels, logistics capacities or supply vulnerabilities, the EFSCM shall be convened in a restricted format involving only the Commission and Member States.**

2. The EFSCM shall:

   (a) promote effective implementation of Union legislation, programmes and policies concerning preparedness for, and response to, food supply and food security crises;

   (b) foster cooperation and coordination, exchange of experience and good practices on early warning, monitoring and reporting of threats, crisis response and post-crisis assessment;

   (c) support the identification of structural vulnerabilities and resilience gaps in the agri-food chains, including through stress testing, risk assessments and scenario planning;

   (d) promote regular exchanges and dialogue on national food security preparedness and response plans of Member States and non-EU countries, taking into account the confidentiality of such plans;

   (e) contribute to the preparation of recommendations or policy initiatives concerning Union preparedness for, and response to, food supply and food security crises.

Article 222f

Enhanced actions in severe crises or emergencies

In the event of a ~~declared~~ severe crisis or an emergency posing a high risk to food security **in all or part of the Union**, the Commission may, by means of immediately applicable implementing acts, require **the** Member States and operators **concerned** to provide **time-limited, proportionate and** real-time reporting to the Commission on relevant public and private stocks of **agricultural**~~agri-food~~ products ~~and inputs~~ or on other information of relevance to ensure supply of those products in the Union.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(3).

Article 222g

Protection of sensitive or classified information

1. The Commission shall ensure that sensitive or classified data relating to stock levels, logistics capacities or supply vulnerabilities is handled, stored and exchanged in accordance with applicable Union rules on the protection of sensitive and classified information, including cybersecurity requirements.

2. The Commission may adopt implementing acts to specify technical and procedural requirements for the secure handling and exchange of such information.

   Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).;’

PUBLIC

(32) in Part V, the following Chapter is added:

‘CHAPTER III

Securities

Article 222h

Securities

1. The Member States shall, where this Regulation or legislation adopted pursuant to it so provides, request the lodging of a security giving the assurance that a sum of money will be paid or forfeited to a competent authority if a particular obligation under that legislation is not fulfilled.

2. Except in cases of force majeure, the security shall be forfeited in whole or in part where the execution of a particular obligation is not carried out, or is carried out only partially.

3. The Commission is empowered to adopt delegated acts in accordance with Article 227 in order to supplement this Regulation with rules which ensure non-discriminatory treatment, equity and the respect of proportionality when lodging a security and which:

(a) specify the responsible party in the event that an obligation is not met;

(b) lay down the specific situations in which the competent authority may waive the requirement of a security;

(c) lay down the conditions applying to the security to be lodged and the guarantor and the conditions for lodging and releasing that security;

(d) lay down the specific conditions related to the security lodged in connection with advance payments;

PUBLIC

(e) set out the consequences of breaching the obligations for which a security has been lodged, as provided for in paragraph 1, including the forfeiting of securities and the rate of reduction to be applied on release of securities for refunds, licences, offers, tenders or specific applications, as well as, where an obligation covered by that security has not been met either wholly or in part, taking into account the nature of the obligation, the quantity for which the obligation has been breached, the period exceeding the time limit by which the obligation should have been met and the time by which evidence that the obligation has been met is produced.

4. The Commission may adopt implementing acts laying down rules on:

(a) the form of the security to be lodged and the procedure for lodging the security, for accepting it, and for replacing the original security;

(b) the procedures for the release of a security;

(c) the notifications to be made by Member States and by the Commission.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).;'

(33) in Article 225, points (e) and (f) are deleted;

(34) in Article 229, the following paragraph is added:

'4. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.;'

(35) Annexes I, II, IV~~, VII~~ and X are amended in accordance with Annex I to this Regulation;

(36) the text set out in Annex II to this Regulation is inserted as Annex Ia;

(37) Annex V is deleted.

Article 2

Transitional provisions

1. Articles 22 to 25 and 217, and Annex V to Regulation (EU) No 1308/2013 shall continue to apply after 31 December 2027 for measures implemented until 31 December 2027.

2. **As regards the school scheme, Member States may take into account accompanying educational measures implemented between 1 August and 31 December 2027 for the purpose of complying with the requirement relating to children's participation in awareness-raising activities for the period from 1 January to 31 July 2028. Alternatively, Member States may consider awareness raising activities implemented in the period from 1 January to 31 July 2028 as fulfilling the objective of carrying out accompanying educational measures for the period from 1 August to 31 December 2027.**

Article 3

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 1, points (19) and (27), shall apply from [1 January of the year after the date of entry into force of this Regulation].

Article 1, point (31), **shall apply from [18 months after the date of entry into force of this Regulation].**
~~and~~ Annex I, point (4), shall apply from [12 months after the date of entry into force of this Regulation].

Annex I, point (5), shall apply from [1 October of the year after the date of entry into force of this Regulation].

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Article 1, points (2), (3), (7) (10), (16), (18**), (22a**), (29), (30), (32) and (37), shall apply from [1 January 2028][date and point (9) dependant on the date of application of Regulation (EU) […] establishing the National and Regional Partnership Fund for the period 2028-2034].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

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ANNEX I

(1) Annex I is amended as follows:

(a) Part IV is replaced by the following:

'PART IV

Protein crops

The protein crops sector shall cover the products listed in Sections 1 and 2 of this Part.

Section 1

Dried leguminous vegetables

CN code	Description
ex 0713	Dried leguminous vegetables, shelled, whether or not skinned or split:
ex 0713 10	– Peas (Pisum sativum):
0713 10 90	– – Other than for sowing
ex 0713 20 00	– Chickpeas (garbanzos), other than for sowing
	– Beans (Vigna spp., Phaseolus spp.):
ex 0713 31 00	– – Beans of the species Vigna mungo (L) Hepper or Vigna radiata (L) Wilczek, other than for sowing
ex 0713 32 00	– – Small red (Adzuki) beans (Phaseolus or Vigna angularis), other than for sowing
ex 0713 33	– – Kidney beans, including white pea beans (Phaseolus vulgaris):

0713 33 90	– – – Other than for sowing
ex 0713 34 00	– – Bambara beans (Vigna subterranea or Voandzeia subterranea), other than for sowing
ex 0713 35 00	– – Cow peas (Vigna unguiculata), other than for sowing
ex 0713 39 00	– – Other , other than for sowing
ex 0713 40 00	– Lentils , other than for sowing
ex 0713 50 00	– Broad beans (Vicia faba var. major) and horse beans (Vicia faba var. equina and Vicia faba var. minor), other than for sowing
ex 0713 60 00	– Pigeon peas (Cajanus cajan), other than for sowing
ex 0713 90 00	– Other, other than for sowing
1201 90 00	Soya beans, whether or not broken, other than seed
1202 41 00	Groundnuts, not roasted or otherwise cooked, in shell, other than seed
1202 42 00	Ground-nuts, not roasted or otherwise cooked, shelled, whether or not broken, other than seed
ex 1209 29 45	Vetch seed, other than for sowing
ex 1209 29 50	Lupine seed, other than for sowing

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Section 2

Leguminous fodder

1214 10 00	– Lucerne (alfalfa) meal and pellets
ex 1214 90 90	– Lucerne, sainfoin, clover, lupins, vetches, honey lotus, chickling pea, birdsfoot and similar leguminous fodder products

,,

(b) in Part VIII, the following rows are added:

‘1204 00 90 Linseed, whether or not broken, other than for sowing

1207 99 91 Hemp seeds, whether or not broken, other than for sowing

ex 1211 90 86 Other parts of the hemp plant;’

(ba) part XXII is replaced by the following:

‘PART XXII

Apiculture products

The apiculture sector shall cover the products listed in the following table: PART XXII CN code Description 0409 00 00 0410 90 00 ex 0410 00 00 ex 0511 99 85
ex 1212 99 95 ex 1521 90 Natural honey Bee bread, edible Royal jelly and propolis, edible Royal jelly and propolis, non-edible Bee bread, non-edible Pollen Beeswax ’

‘CN code	**Description**
0409 00 00 0410 90 00 ex 0410 00 00 ex 0511 99 85 **ex 1212 99 95 ex 1521 90**	**Natural honey Bee bread, edible Royal jelly and propolis, edible Royal jelly and propolis, non-edible Bee bread, non-edible Pollen Beeswax**

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(c) in Part XXIV, Section 1 is amended as follows:'

(a) the rows included in heading ex 0713 are deleted;

(b) the rows concerning CN code 1201 90 00, 1202 41 00 and 1202 42 00 are deleted;

(c) the rows included in heading ex 1214 are replaced by the following:

'ex 1214 Swedes, mangolds, fodder roots, hay, forage kale, and similar forage products, whether or not in the form of pellets:

ex 1214 90 – Other:

1214 90 10 – – Mangolds, swedes and other fodder roots

ex 1214 90 90 – – Other, excluding leguminous fodder;'

(d) the rows concerning CN codes

1204 00 90 and

1207 99 91 are deleted;

(e) the description in the entry concerning the heading ex 1211 is replaced by the following:

'Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered excluding the products listed under CN code ex 1211 90 86 in Part VIII and IX;;'

(f) the description in the entry concerning headings ex 2309 90 91 to 2309 90 96 is replaced by the following:

'– – – Other than containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup of subheadings 1702 30 50, 1702 30 90, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products;'

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(2) in Annex II, Part II, Section A, points 5 and 6 are replaced by the following:

‘5. A "delivery contract" means a contract concluded between a seller and an undertaking for the delivery of beet or sugar cane for the manufacture of sugar.

6. "Agreement within the trade" means one of the following:

(a) an agreement concluded, prior to the conclusion of any **beet** delivery contract, between undertakings or an undertakings' organisation recognised by the Member State concerned, or a group of such undertakings' organisations, on the one hand and a beet ~~or sugar cane~~ sellers' association recognised by the Member State concerned or a group of such sellers' organisations on the other;

(aa) agreements concluded between undertakings or an undertakings' organisation recognised by the Member State concerned and a sugar cane sellers' association also recognised by that Member State, or a group of such associations, which may, where appropriate, include the State and which are not intended to be subject to the extension of rules and compulsory contributions.

(b) in the absence of any agreement as referred to in **points (a) and (aa)**~~point (a)~~, the law on companies and the law on cooperatives, in so far as they govern the delivery of sugar beet and sugar cane by the shareholders or members of a company or cooperative manufacturing sugar.**’**;’

(2a) in Annex II, Part IX, paragraph 2 is replaced by the following:

‘2. "Apiculture products”, means honey, beewax, royal jelly, propolis, pollen or bee bread.’

(3) in Annex IV, Part B, Section IV, point 1 is replaced by the following:

‘1. The lean-meat content shall be assessed by means of grading methods authorised by Member States. Only statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass may be authorised. Authorisation of grading methods shall be subject to compliance with a maximum tolerance for statistical error in assessment.;’

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~~(4) in Annex VII, the following Part is inserted:~~

~~'PART Ia~~

~~Meat and meat products designations~~

~~1. "Meat" means exclusively the edible parts of an animal.~~

~~2. For the purposes of this Part, "meat products" means products derived exclusively from meat, on the understanding that substances necessary for their manufacture may be added provided that those substances are not used for the purpose of replacing, in whole or in part, any meat constituent.~~

~~3. The following names shall be reserved for products derived exclusively from meat at all stages of marketing:~~

~~(a) Beef;~~

~~(b) Veal;~~

~~(c) Pork;~~

~~(d) Poultry;~~

~~(e) Chicken;~~

~~(f) Turkey;~~

~~(g) Duck;~~

~~(h) Goose;~~

~~(i) Lamb;~~

~~(j) Mutton;~~

~~(k) Ovine;~~

~~(l) Goat;~~

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~~(m) Drumstick;~~

~~(n) Tenderloin;~~

~~(o) Sirloin;~~

~~(p) Flank;~~

~~(q) Loin;~~

~~(r) Ribs;~~

~~(s) Shoulder;~~

~~(t) Shank;~~

~~(u) Chop;~~

~~(v) Wing;~~

~~(w) Breast;~~

~~(x) Thigh;~~

~~(y) Brisket;~~

~~(z) Ribeye;~~

~~(aa) T-bone;~~

~~Rump;~~

~~Bacon.~~

~~The term 'meat' and the designations listed in point 3 may also be used in association with a word or words to designate composite products of which no part takes or is intended to take the place of any meat constituent and of which meat is an essential part either in terms of quantity or for characterisation of the product.;'~~

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(4a) in Annex VII, Appendix I, point 4(d) is replaced by the following:‘(d) in Slovenia, areas planted with vines in the Primorska region: Brda or Goriška Brda, Vipavska dolina or Vipava, Kras and Slovenska Istra.’

(5) Annex X is amended as follows:

(a) the title of the Annex is replaced by the following:

‘PURCHASE TERMS REFERRED TO IN ARTICLE 125(3);’

(b) after the title, the following title of Part I is inserted:

‘PART I

Purchase terms for beet;’

(c) in point VIII, point 1 is replaced by the following:

‘1. Delivery contracts shall provide that the pulp obtained from the whole quantity of beet delivered shall be considered the property of the beet seller and shall require sugar undertakings to do one or more of the following with respect to that pulp:

(a) to return all or part of the pulp, fresh, free of charge, to the beet seller, ex-factory;

(b) to return part of that pulp, pressed, dried or dried and molassed, free of charge to the beet seller, ex-factory. In this case, the part of the pulp to be retained by the sugar undertaking, free of charge, shall be stipulated in the delivery contract;

(c) to return all or part of the pulp, pressed or dried, to the beet seller, ex-factory. In this case, the amount of the pulp to be returned to the beet seller and the pressing or drying costs to be paid by the beet seller to the sugar undertaking shall be stipulated in the delivery contract;

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(d) to retain all or part of the pulp. In this case, the amount of the pulp to be retained by the sugar undertaking and the price or calculation method for the value of the pulp to be paid by the sugar undertaking to the beet seller shall be stipulated in the delivery contract. The price or calculation method for the value of the pulp shall be based on the possibilities of selling the pulp concerned~~.~~;'

(d) the following Part is added:

'PART II

Purchase terms for cane

POINT I

1. Agreements within the trade referred to in Annex II, Part II, Section A, point 6, of this Regulation establish the general framework for the terms and conditions for the~~The~~ purchase **of sugar cane from**~~terms for beet set out in Part I apply mutatis mutandis to~~ sugar cane **sellers**~~.~~. **They shall provide, at a minimum, for:**

(a) rules on sampling and methods for determining gross weight, tare weight, and sugar content;

(b) the standard sugar content of the sugar cane;

(c) a method for calculating the price, taking into account, in particular, the sugar content of the cane through a scale and the quantity of cane delivered;

(d) rules on adapting prices in cases where pluriannual contracts are agreed;

(e) conciliation or mediation mechanisms and arbitration clauses.

2. Agreements within the trade for cane shall provide for a standard template for delivery contracts compatible with this Regulation and Union rules.

3. **A sugar undertaking and the sugarcane sellers may agree on value-sharing clauses, relating in particular to gains and losses recorded on the market, in order to determine how any evolution of relevant market prices of sugar or other commodity markets is to be allocated between them.**

4. **Where agreements within the trade at Union, regional or local level lay down rules covering matters which are dealt with in this Regulation, or where they contain provisions governing other matters, their provisions and effects shall not conflict with this Annex.**

POINT II

1. **On the basis of the aforementioned agreements within the trade, delivery contracts shall be concluded in writing, for a specific quantity of cane, before its delivery.**

2. **Such contracts may be multi-year in duration and shall, in particular, provide for:**

(a) **the purchase price for the quantities specified in the contract, which may be adjusted by price increases or reductions, agreed by the parties in advance, to allow for deviations from the standard quality referred to in Point I.1.b above and according to the rules referred to in Point I.1.c above.**

The price shall be calculated by combining various factors set out in the contract, which shall include objective indicators, indices or methods of calculation of the final price, that are easily accessible and comprehensible and that reflect changes in market conditions and changes in relevant elements of production costs which impact the remuneration of farmers, the quantities delivered and the quality or composition of sugar beet delivered.

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To that end, Member States may determine indicators, in accordance with objective criteria based on studies carried out on production and the food supply chain, or taking into account objective data from sources such as interbranch organisations, the EU Agri food-chain observatory (AFCO) or any relevant objective data available. Those indicators may be published online for use in contracts. The parties to the contracts shall be free to refer to those indicators or any other indicators;

(b) the terms under which an additional quantity of sugar cane may be supplied;

(c) the locations for receiving the sugar cane and for taking samples;

(d) a method agreed upon by both parties for determining the sugar content;

(e) the deadlines for payment of any installments and for the balance of the purchase price of the sugar cane.

3. The price referred to in point 2.a above shall apply to sugar cane of sound, fair and marketable quality having the standard sugar content, referred to in Point I.1.b above, at the reception point.

4. Where delivery contracts lay down rules covering matters which are dealt with in this Annex, or where they contain provisions governing other matters, their provisions and effects shall not conflict with this Annex.'

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ANNEX II

'ANNEX Ia

LIST OF PRODUCTS REFERRED TO IN ARTICLE 30(1)

CN code	Description
ex 0101	Live horses, asses, mules and hinnies:
	– Horses
0101 21 00	– – Pure-bred breeding animals*
0101 29	– – Other:
0101 29 10	– – – For slaughter
0101 29 90	– – – Other
0101 30 00	– Asses
0101 90 00	– Other
ex 0103	Live swine:
0103 10 00	– Pure-bred breeding animals**
ex 0106	Other live animals:
0106 14 10	– Domestics rabbits
ex 0106 19 00	– – Other: reindeer and deer
0106 33 00	– – Ostriches; emus (Dromaius novaehollandiae)
0106 39 10	– – – Pigeons
0106 39 80	– – – Other birds
ex 0205 00	Meat of horses, fresh, chilled or frozen
ex 0208	Other meat and edible meat offal, fresh, chilled or frozen:

ex 0208 10 10	– – Meat of domestic rabbits
ex 0208 90 10	– – Meat of domestic pigeons
ex 0208 90 30	– – Meat of game other than rabbits or hares
ex 0208 90 60	– – Meat of reindeer
ex 0407	Birds' eggs, in shell, fresh, preserved or cooked:
0407 19 90	– Fertilised, other than of poultry
0407 29 90	– Other fresh eggs, other than of poultry
0407 90 90	– Other eggs, other than of poultry
0701	Potatoes, fresh or chilled
1203 00 00	Copra
1205 10 90	Low euricic acid rape or colza seeds, whether or not broken, other than for sowing
1205 90 00	Other rape or colza seeds, whether or not broken, other than for sowing
1206 00 91	Sunflower seeds, shelled; in grey and white striped shell, whether or not broken, other than for sowing
1206 00 99	Other sunflower seeds, whether or not broken, other than for sowing
1207 29 00	Cotton seeds, whether or not broken, other than for sowing
1207 40 90	Sesamum seeds, whether or not broken, other than for sowing
1207 50 90	Mustard seeds, whether or not broken, other than for sowing
1207 60 00	– Safflower (Carthamus tinctorius) seeds
1207 91 90	Poppy seeds, whether or not broken, other than for sowing

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ex 1207 99 96	Other oilseeds and oleaginous fruits, whether or not broken, other than for sowing
ex 1211	Plants and parts of plants (including seeds and fruits) of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered excluding the products listed under CN code ex 1211 90 86 in Parts VIII and IX
1212 94 00	Chicory roots
ex 1214	Swedes, mangolds, fodder roots, hay, forage kale, and similar forage products, whether or not in the form of pellets:
ex 1214 90	– Other:
1214 90 10	– – Mangolds, swedes and other fodder roots
ex 1214 90 90	– – Other, excluding leguminous folder
ex 2206	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included:
ex 2206 00 31 to ex 2206 00 89	– Fermented beverages other than piquette
5201	Cotton, not carded or combed

* Entry under this subheading is subject to the conditions laid down in the relevant Union provisions (see Regulation (EU) 2016/1012 of the European Parliament and of the Council f 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (OJ L 59, 3.3.2015, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2015/262/oj) and Commission Implementing Regulation (EU) 2015/262 of 17 February 2015 laying down rules pursuant to Council Directives 90/427/EEC and 2009/156/EC as regards the methods for the identification of equidae (Equine Passport Regulation) (OJ L 171, 29.6.2016, p. 66, ELI: http://data.europa.eu/eli/reg/2016/1012/oj).

**Regulation (EU) 2016/1012.'

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