Council of the European Union

Brussels, 11 February 2026
(OR. en)

6229/26

Interinstitutional File:
2024/0319 (COD)

LIMITE

AGRI 106
AGRIORG 29
AGRIFIN 32
AGRILEG 28
CODEC 206

PUBLIC

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	16779/24 + REV 1 + REV 1 ADD 1
Subject:	Regulation amending the common market organisation (CMO) Regulation as regards the strengthening of the position of farmers in the food supply chain - Preparation of the trilogue

Preparation for future ITMs and trilogue

The eighth and ninth interinstitutional technical meetings (ITMs) on the above-mentioned file took place on 15 January and 2 February respectively. This permitted to confirm agreement achieved on several rows during the trilogue of 10 December 2025. It also allowed for advancing the discussion on remaining open political points at technical level and prepared the ground for the next two ITMs of 19 and 25 of February with a view to the trilogue that will take place on 5 March 2026.

With a view to that trilogue, the Presidency requests further guidance from the SCA on key outstanding issues: contractual relations in the milk sector, marketing standards, including origin labelling, and meat designations.

In the SCA of 19 January, on the **contractual relations in the milk sector**, delegations broadly reaffirmed the Council mandate, in particular the possibility for Member States to provide for exemptions from mandatory written contracts, notably in the context of cooperatives. Some delegations indicated openness to explore carefully framed flexibilities. The Presidency therefore suggests the annexed text for the package of rows 88, 93 (similar in row 161 for other sectors), 98 (similar in row 166 for other sectors),100a/new row 72a and 111a, which is currently discussed in ITMs, and could provide a basis for an agreement at the trilogue.

On row 88, as regards the duration of a contract in which a revision clause, initiated by a farmer, shall be included, the Presidency suggests for a compromise text on the duration of 6 months to be seen in conjunction with the suggestion in row 100a/new row 72a. Regarding other sectors (row 156), a provisional agreement includes a duration of 12 months, while on row 207 (contracts for beet), the PCY suggests a compromise based on the Council mandate.

On **marketing standards, including on origin labelling**, several delegations underlined the importance of adhering to the Council mandate and expressed reservations regarding any broad extension of scope beyond the Commission proposal of July for the CMO post-2028 (doc. 11722/25). The Presidency therefore suggests the annexed text for row 50e, which is currently discussed in ITMs and could provide a basis for an agreement at the trilogue.

On **meat designations**, several delegations expressed a clear preference to address this issue in the context of the future revision of the CMO. At the same time, some delegations signalled conditional openness to a narrowly tailored solution, provided it is based on the Commission proposal from July (doc. 11722/25 ADD 1 – new Part Ia of Annex VII) and avoids unintended impacts on other sectors such as fisheries and aquaculture while addressing other exceptions such as non-meat products with traditional use of meat terms for their description (e.g. beef tomato). Therefore, the PCY suggests the annexed text to be included in new rows 50f, 202ea and 236a and to remove 202f as a possible landing zone for meat designations.

PUBLIC

Member States are invited to provide their input and express any concerns in relation to the following questions:

- Q1. Concerning the contractual relations in the milk sector, on **row 100a/new row 72a**, would Member States consider it sufficient and acceptable for a compromise to be based on a targeted derogation from a written contract, as regards the elements to derogate from, specifically from those set out in Article 148, paragraph (4), point (c) (i) second indent regarding the method to calculate the price payable for the delivery, and point (c) (iii) subparagraph 2 regarding a revision clause? This derogation will be seen in conjunction with accepting 6 months for row 88.
- Q2. On contractual relations for the milk sector, would it be acceptable for Member States to base a compromise on the annexed text as suggested by the PCY for **rows 93, 98 and 111a**? Row 111a will be seen in conjunction with 127.
- Q3. Would it be acceptable for Member States to base a compromise on the annexed text as suggested by the PCY for **row 50e**, as regards origin labelling?
- Q4. On meat designations, would it be acceptable for Member States to base a compromise on the annexed text as suggested by the PCY for new rows **50f, 202ea, 236a**?

Finally, the Presidency would like to inform delegations about a number of other outstanding issues (Annex B) on which the technical teams made good progress and which will be brought to the political level for agreement in the context of a broader package.

PUBLIC

ANNEX A

Contractual relations in the milk sector

Row	Council mandate (SCA May 2025)	Possible landing zone
88	(iii) the duration of the contract, which may include a definite duration or an indefinite duration with a termination clause. In the case of a contract with a minimum duration longer than twelve months, the contract shall include a revision clause that may be triggered by the farmer, including a farmers' association, or a producer organisation or an association of producer organisations;	(iii) the duration of the contract, which may include a definite duration or an indefinite duration with a termination clause. In the case of a contract with a minimum duration longer than six months, the contract shall include a revision clause that may be triggered by the farmer, including a farmers' association, or a producer organisation or an association of producer organisations;

PUBLIC

93 *(& row 161 for other sectors)*	(a) the milk or the milk products concerned are delivered by a member of a producer organisation or cooperative to the producer organisation or cooperative of which it is a member provided that the statutes of that producer organisation or cooperative or the rules and decisions provided for in, or derived from, these statutes have similar effects in terms of predictability, transparency and price transmission, as the provisions set out in paragraph 4;	(a) the milk or the milk products concerned are delivered by a member of a producer organisation or cooperative to the producer organisation or cooperative of which it is a member provided that the statutes of that producer organisation or cooperative or the rules and decisions provided for in, or derived from these statutes, provide for transparent and democratically decided rules, known in advance, for arrangements for determining the price of the milk or milk products delivered, taking into account the impact on the remuneration of farmers, and the payment periods and procedures;
98 *(& row 166 for other sectors)*	(a) the contract concerns a delivery or deliveries of milk or milk products of a value up to a threshold to be determined by the Member State, which shall not exceed EUR 20 000;	(a) The total value of the delivery or deliveries agreed by the parties does not exceed a maximum limit to be determined by the Member State, which shall not be higher than EUR 10 000;

PUBLIC

100a/new row 72a	(ca) the delivery concerns milk or milk products for which the Member State considers, following consultation of relevant representatives of farmers or of interbranch organisations recognised in accordance with Article 163(1), that the effects of predictability, transparency and price transmission pursued by the provisions set out in paragraphs 1 and 4 have been achieved for the products concerned or that the obligation to have written contracts or written offers would not be appropriate or proportionate as regards these products for other justified reasons.	**Row 100a →**removed and **new row 72a added:** [Such contract shall fulfil the conditions laid down in paragraphs 4 and 8]. Following consultation of relevant representatives of farmers or of interbranch organisations recognised in accordance with Article 163(1), Member States may decide that the inclusion of indicators, indices or methods of calculation of the final price referred to in paragraph (4), point (c)(i), second indent, shall not be compulsory and that the delivery shall not be covered by the requirements in paragraph (4), point (c) (iii) subparagraph 2 regarding a revision clause if the effects of predictability, transparency and price transmission can be otherwise achieved for the milk or milk products concerned, or that the obligation to include the elements of paragraph (4), point (c) (i) second indent and point (c) (iii), second subparagraph, regarding a revision clause would not be appropriate or proportionate as regards these products for other justified reasons.
111a *(& row 127 for POs – see below)*	*Out of scope from Council mandate* Current CMO: Article 149, par 2(c):	Article 149, par 2(c): (c) provided that, for a particular producer organisation, all of the following conditions are fulfilled:

PUBLIC

	(c) provided that, for a particular producer organisation, all of the following conditions are fulfilled: (i) the volume of raw milk covered by such negotiations does not exceed 4 % of total Union production, (ii) the volume of raw milk covered by such negotiations which is produced in any particular Member State does not exceed 33 % of the total national production of that Member State, and (iii) the volume of raw milk covered by such negotiations which is delivered in any particular Member State does not exceed 33 % of the total national production of that Member State;	(i) the volume of raw milk covered by such negotiations does not exceed 7 % of total Union production, (ii) the volume of raw milk covered by such negotiations which is produced in any particular Member State does not exceed 36 % of the total national production of that Member State, and (iii) the volume of raw milk covered by such negotiations which is delivered in any particular Member State does not exceed 36 % of the total national production of that Member State;

PUBLIC

Producer organisations

127	(d) the volume of the product covered by the activities referred to in the first subparagraph of paragraph 1a does not exceed 33% of the total national production of that product in the Member State concerned;	(d) the volume of product covered by the activities referred to in the first subparagraph of paragraph 1a does not exceed 36% of the total national production of that product in the Member State concerned;

PUBLIC

Marketing standards, including on origin labelling

Row	Council mandate (SCA May 2025)	Possible landing zone
50e	*Out of scope from Council mandate* Current CMO Article 75, paragraph 3(j): (j) the place of farming and/or origin, excluding poultrymeat and spreadable fats;	(b) In paragraph 3, point (j) is replaced by the following: (j) the place of farming and/or origin;

PUBLIC

Meat designations

Row 202f → remove and add **new rows 50f, 202ea, 236a**

New Row 50f

(-1e) Article 78 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) point (a) is replaced by the following:

"(a) all sectors where edible parts of animals are produced and in particular beef and veal, pigmeat, sheepmeat, goatmeat and poultrymeat."

(ii) point (d) is deleted.

(b) in paragraph 3, the following second paragraph is added:

"As regards Point 3 of Part Ia of Annex VII, the Commission is also empowered to adopt delegated acts in accordance with Article 227 concerning derogations allowing the use of designations reserved for products derived exclusively from meat, for other products, whose exact nature is clear due to an established long term use and does not cause any possible confusion to the consumer."

New Row 202ea

In Annex VII, the following Part is inserted:

'*PART Ia*

Meat and meat products designations

1. For the purposes of this Part, "meat" means the edible parts of an animal falling within the scope of application of this Regulation.

PUBLIC

2. For the purposes of this Part, "meat products" means products derived 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. This is without prejudice to the use of the term "meat" for the products covered by the scope of Union legislative acts on the common organisation of the markets in fishery and aquaculture.

3. As regards agricultural products listed in Annex I to the TFEU as well as food products not listed in that Annex, with the exception for the products covered by the scope of Union legislative acts on the common organisation of the markets in fishery and aquaculture and for other products listed in a delegated act adopted under Article 78(3) second subparagraph, the following terms shall be reserved for meat products and for products that have a name, in which the following terms are used in association with a word or words to designate the animal species from which an agricultural product originates, 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;
(m) Drumstick;
(n) Tenderloin;
(o) Sirloin;
(p) Flank;
(q) Loin;
(r) Ribs;

PUBLIC

(s) Shoulder;

(t) Shank;

(u) Chop;

(v) Wing;

(w) Breast;

(x) Thigh;

(y) Brisket;

(z) Ribeye;

(aa) T-bone;

(bb) Rump;

(cc) Bacon.

PUBLIC

4. The term 'meat' and the terms listed in point 3 may be used in combination to designate meat products. They 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.

New Row 236a

Article 1, point [..] shall apply from [entry into force + 3 years].

Annex B

Other key outstanding issues discussed as part of a package approach

- Other amendments

- Rows 50a, 202c, 202e
- Rows 50b, 50c, 50d
- Rows 168a – 168b
- Rows 179c, 202d
- Row 190a
- Row 190b
- Row 193a
- Row 200
- Row 202b

PUBLIC