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### WORKING PAPER

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#### **CONTRIBUTION**

From:	General Secretariat of the Council
To:	Delegations
N° prev. doc.:	7451/1/19 REV 1 + COR 1
N° Cion doc.:	9556/18 + REV 1 (en, de, fr) + COR 1
Subject:	Regulation on common market organisation (CMO) of agricultural products - Irish comments

Delegations will find attached the comments from the Irish delegation.

## **Irish comments – proposal on the CMO “Amending Regulation”**

As a follow-up to the exchange of views on 25 October 2019 at the Working Party on Agricultural Products concerning the proposed text by the Presidency, please find below Ireland’s comments on Articles 119 and 90a of Regulation 1308/2013.

### **a) Wine labelling**

**Article 119 – *(adding to Article 119 as compulsory particulars a nutrition declaration, limited to energy value only, and a list of ingredients, which may be provided in an electronic form)***

**and**

**Article 122 – *(Delegated powers for the Commission regarding conditions relating to the presentation and use of the nutrition declaration and of the list of ingredients)***

We would like to thank the Finnish Presidency for the drafting suggestions. Ireland supports this proposal, although it falls short of the labelling requirements that would apply if the FIC regulation (1169/2011) were to be extended to cover alcoholic beverages with >1.2% alcohol.

The proposal to make declaration of “energy value” is welcome, as it will assist consumers control their own diets and allow for deeper transparency. We would favour that the declaration should be in the same format as required for nutritional information under FIC to allow for comparisons.

Providing a list of ingredients would also be welcome, again we would favour the same format as FIC. Ireland would however query the practicality of the proposal to provide the information in electronic form both from the viewpoint of ease of reference for the consumer to the information (not everybody carries a smart phone) and it could create difficulty in making comparisons between products.

Ireland agrees with most other Member States that allergen information should be directly available on label, as should the alcoholic strength.

### **b) Checks and penalties (Article 90a)**

Ireland agrees with the Presidency that the text requires updating to allow for relabelling and for the avoidance of disproportionate measures being taken in the event of product non-compliance.

Where product is found not to present the requisite information on energy value and ingredients it is clear that the product does not conform and should be removed. On the other hand, should the information be present and incorrect how would this be obvious to the control body?

From the controls perspective Ireland would need to establish the practical steps to be followed once the imported product has been removed from the market to enable the completion of these labelling details and its return to the market.

Most EU wine consignments destined for Ireland travel first to the UK and then on to Ireland.

With regard to the drafting of Recital 19a and Article 90a, Ireland is supportive but would ask if the Commission could provide some clarity of the meaning of “minor nature” in the context of these labelling requirements.

Food Industry Development Division

01 November 2019

**Ireland's written comments on the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products, (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union and (EU) No 229/2013 laying down specific measures for agriculture in favour of the smaller Aegean islands – document no 14535/19**

With regard to the revised Presidency suggested amendments in the CMO Regulation, which in the main concern wine, Ireland is not a wine producing country. Ireland, does however, consider it important to ensure that Member States have appropriate guidance on terms such as "minor nature" to ensure consistency in the application of the rules.

For Recital 21a and Article 119, Ireland considers there may be issues around the practicality of providing mandatory information in electronic form for the consumer and the difficulties that could occur when comparing products.