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CONTRIBUTION

From: To:	General Secretariat of the Council Delegations
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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 - Comments from Finland

Ministry of Agriculture and Forestry of Finland

10.11.2025

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Finland’s written comments ahead of the meeting of the Working Party on Agricultural Products on 19-20 November 2025

Hemp

General comments/questions related to hemp

The judgment of the Court of Justice of the European Union in case C-663/18 concerns whether CBD can be produced from the entire hemp plant. Based on this, how has the Commission defined in the CMO proposal that other parts of the hemp plant (particularly the hemp flowers) would be considered eligible agricultural products?

According to the 1961 United Nations Single Convention on Narcotic Drugs, the hemp flower is considered a narcotic substance. However, the Commission's proposal states that the proposal ensures compliance with international drug control treaties while simultaneously adding the hemp flower as an approved product. Could the Commission clarify this contradiction?

What is the Commission’s view on whether a Member State’s national drug or criminal legislation can restrict the marketing of other parts of the hemp plant (hemp flowers) produced in accordance with CAP regulations on its domestic market or their import from elsewhere within the EU internal market?

Article 147c

The CMO regulation proposal does not specify for what purposes hemp biomass may be freely produced, and therefore the proposal is unclear in relation to national drug and criminal legislation. The proposal concerning the marketing of hemp is intended to clarify the placing of hemp on the EU internal market, but it does not set minimum requirements for market oversight or specify what kind of requirements should at least be imposed on handlers/operators of hemp material to ensure public health protection. How does the Commission view the need to clarify the proposal in this regard? Should the proposal provide Member States with sufficient flexibility in implementing the production and marketing of industrial hemp so that national drug and criminal legislation can be taken into account?

The relationship between the CMO proposal and other EU legislation is currently unclear. In particular, there are inconsistencies between the CMO proposal and EU food and feed regulations (e.g. (EC) No 178/2002, (EU) 2015/2283, (EC) No 767/2009), as the latter impose restrictions on the use of hemp. Should the article texts of the CMO proposal clarify that it does not override other sector-specific EU legislation?

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Sugar

Finland has no issues with this proposal.

POSEI provisions

Finland has no issues with this proposal.

Sectoral interventions

Our producer organsations need sufficient transitional period beyond 2028 as producer organsations commitments can be several years long. Beyond 2028 who is responsible for paying these? Just Union or is MS also responsible for these after 2028?

NRP Art 35 (8, 9) Is 75 % support rate maximum? Is it possible for MS or PO to use lower support rate? For example, 50 %? If the support rate for sectoral interventions exceeds 50%, producer organisations would be considered contracting entities in Finland. As a result, producer organisations would need to comply with the Act on Public Procurement and Concession Contracts, which would substantially increase their obligations.

Based on the experiences from the current funding period, measures related to a small sector, e.g. apiculture, should not be made mandatory within large monitoring and reporting frameworks. The administrative costs become excessively high compared to the amount of funding.

Article 31:

Is it intention that this regulation requires any environmental measures and is there certain defined percentage for this as in current CMO?

Article 33:

Taking into account the contribution of the Member State, the Union and producer organisation as well as the fact that a ceiling on the VMP has been set for Union aid. We would like to see examples of actual % split of contributions by MS, PO and Union to Operational Funds for producer organsations Operational Programmes.

Is it the intention that Member States set their own objectives as part of their NRP plans as in proposed regulation there is no objectives?

Article 34:

We are not in favor that each Member State will define VMP nationally. We believe that it is the Union's task to create common rules for all Member States. This may cause for example market disruption. We see that this should be done at least in the fruit and vegetables sector.

Empowerments linked to payments and/or PO recognition

We would consider it useful for the Commission to issue same delegated powers as in regulation 2021/2115 article 45 a to i.

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