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WK 15213/2018 INIT

LIMITE

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WORKING PAPER

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INFORMATION

From:	General Secretariat of the Council
To:	Delegations
N° Cion doc.:	9556/18 + REV 1 (en, de, fr) + COR 1
Subject:	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 - Information from the Commission

Delegations will find attached the information note from the Commission regarding the references to "Marketing year" in the secondary legislation.

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EN

CMO REGULATION

References to "Marketing Year" in the legislation

PROVISION	RECOMMENDED ACTION/REMARKS	SITUATION WHEN ART. 6 CMO IS DELETED
BASIC ACT		
Reg 1308/2013 - CMO		
Art 214 – FI sugar beet payments	Delete the term "marketing"	The CMO text needs to be amended
Annex X(V)(2) – delivery places in sugar beet contracts	Delete the term "marketing"	The CMO text needs to be amended
COMMISSION REGULATIONS		
Reg 891/2009 - current sugar TRQ		
Art. 5 (2), art 6(d), 8(3), 9(4), 15(1) and(2), annex	<ul style="list-style-type: none"> - The references to marketing year will be deleted - or where appropriate replaced by references to the quota year - as from the day the amended CMO applies. - By 2020 this Reg should have been replaced by the new TRQ horizontal Regulation. 	<ul style="list-style-type: none"> - Art. 5(2) – it is necessary to replace “marketing year” by “tariff quota year” - Art. 6(d) – no consequence as the applications always relate to a specific period - Art. 8(3) – no consequence as the concerned TRQ no longer exist after the end of sugar production quotas - Art 9(4) – no consequence as the notification period is in any case specified in ISAMM - Art. 15(1) and (2) – it is necessary to replace “marketing year” by “tariff quota year” - Annex – it is necessary to replace “marketing year” by “tariff quota year”
Reg 951/2006 – trade in sugar sector		
Art 19 – IP notification Art. 34(2) and 36(2) – fixing of representative prices for molasses and sugar per marketing year	<ul style="list-style-type: none"> - The references to marketing year will be deleted - or where appropriate replaced by references to the corresponding period - as from the day the amended CMO applies. - By 2020 this Reg should have been replaced by the new "3rd wave trade mechanisms" horizontal Regulation 	<ul style="list-style-type: none"> - Art. 19 – following discussions on the legislation applicable after the end of the sugar quotas, this article is to be deleted - Art. 34(2) – no consequence as the representative prices are fixed by Reg. 2016/1733 with no ending application date - Art. 36(2) – no consequence as the application of this Article is suspended until 2022

Reg 2016/1240 – intervention and private storage		
Art. 52(4)(b) – information on the product in storage	Delete the term "marketing"	It is necessary to clarify the period the provision refers to as from the day the amended CMO applies
Art. 65(1)a) – notifications on cereals and rice intervention	Delete the terms " the beginning of the marketing year “ and replace by the “1 July of each year for cereals and 1 September of each year for rice”	It is necessary to replace the reference to the marketing year by the equivalent dates as from the day the amended CMO applies
Reg 2017/1185 – notifications on prices and production data		
Annex II(1) – sugar beet price	Replace "marketing" by "harvest"	The marketing year dates are specified in the ISAMM form, so the notifications can in any case be correctly done
Annex III – sugar & fibre crops product. data	Replace "marketing" by a reference to the appropriate period for each sector (sugar, flax and hemp, cotton)	The marketing year dates are specified in the ISAMM form, so the notifications can in any case be correctly done
Reg 29/2012 – Olive oil		
Art. 5(1)(e) – labelling	The terms "marketing year" will need to be replaced appropriately.	It is necessary to amend Reg 29/2012 to replace the terms "marketing year" by a reference to a specific period as from the day the amended CMO applies
Reg 2018/273 – Wine (Delegated Reg.)		
Art. 2(1)(k)	Delete the reference to Art. 6(d) of the CMO Reg.	<ul style="list-style-type: none"> - The definition of the “wine year” in Article 2(1)(k) of R. (EU) 2018/273 should be redrafted so as to replace the references to “<i>the marketing year [...] as referred to in Article 6(d) of Regulation (EU) No 1308/2013</i>” by references to “<i>1 August to 31 July of the following year</i>”, as from the day the amended CMO applies. - The concept of “wine year” is relevant for the implementation of the scheme of authorisations for vine plantings and notifications thereto, declarations in the wine sector and definition of “small producers” .
Reg 2018/274 – Wine (Implementing Reg.)		
Recital 4	Replace “marketing year” by “wine year”	The definition of “wine year” laid down in Article 2(1)(k) of R. (EU) 2018/273 applies also for the purposes of R. (EU) 2018/274. Therefore, in Recital 4 of R. (EU) 2018/274 it would be enough to replace the term “marketing year” by “wine year”.