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CONTRIBUTION

From:	General Secretariat of the Council
To:	Delegations
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Subject:	Regulation on common market organisation (CMO) of agricultural products - Portuguese Comments

Delegations will find in Annex comments from the Portuguese Delegation.

PT comments on HR Presidency Paper WK 4064/2020 INIT

Drafting suggestions concerning the draft 'Amending Regulation'

7451/1/19 REV 1 + COR 1

INTRO

We thank PRES HR for the effort to move forward with this proposal, recognizing the difficulties of the period that we are going through and which led to the cancellation of the WP meeting that was scheduled for the 13th of March.

1. Presidency drafting suggestions on Regulation 1308/2013

In general terms, PT supports the suggestions presented by PRES HR, also suggesting the specific comments presented below.

(iii) Article 152(1)(c)(x)

The work on CAP Strategic Plans Regulation in the context of types of interventions in certain sectors will open up the possibility of setting up mutual funds by producer organisations (POs) recognised under Regulation 1308/2013 in the following sectors: fruit and vegetables, hops, olive oil and table olives and other sectors (set out in points (a) to (h), (k), (m), (o) to (t) and (w) of Article 1(2) of Regulation (EU) No 1308/2013 and sectors covering products listed in Annex [X] to the CAP Strategic Plan Regulation (document ST 14824/19). In order to be able to benefit from that type of intervention, POs in the aforementioned sectors should be recognised based on the condition that they pursue a specific aim which may include the objective of managing mutual funds. Therefore there is a need to make an adjustment to Article 152(1)(c)(x) by making reference to Article 39 and point (b) of Article 70(3) of Regulation (EU) .../.... [CSP Plan Regulation];”.

PT Comment

We agree with the proposed suggestion, since for similar support schemes in the future, such as Operational Programs for different sectors, it does not make sense that the toolbox of instruments available is limited in some sectors compared to another.

In addition to this proposal, we consider that the approach to the role of POs and the recognition regime under R1308/2013 should be further developed, given the importance that these entities have in the future design of instruments under the CAP Strategic Plans, and we look forward to the opportunity to resume scheduling the debate on the role of POs, which was scheduled for the meeting on March 13.

(iv) Annex I

Some delegations have suggested changes to the list of agricultural products in order to take into account classification in the custom nomenclature, production features and consumer habits regarding certain products that are not listed in the fresh or processed fruit and vegetable sector and, for that reason, cannot benefit from the measures for that sector.

To reflect that, the Presidency suggests:

- *deleting sweetcorn from Part I (Cereals; CN code 0709 99 60, 0712 90 19) and deleting the current exclusions in Part IX (Fruit and vegetables; CN code 0709 99 60) and in Part X (Processed*

fruit and vegetable products; CN code 0710 40 00, 0711 90 30, 0712 90 19, 2001 90 30, 2004 90 10, 2005 80 00);

- *deleting Jerusalem artichokes from Part I (Cereals; CN code 0714) and adding them to Part IX (Fruit and vegetables);*
- *adding swede to Part IX (Fruit and vegetables) together with other edible roots (CN code 0706).*

PT Comment

We support the suggested amendment, to take into account the current consumer habits of those products.

We also consider that Sweet potatoes, currently covered in the cereals sector, under part I of annex I of Regulation 1308/2013 (CN code 0714), should be included in the Fruit and vegetables sector, as proposed for *Jerusalem artichokes*.

In fact, Sweet potatoes, falling within CN code 0714.20.10, fresh, whole, intended for human consumption, are products that, like other roots and tubers, are usually grown and marketed along with other fresh vegetables.

On this grounds, PT proposes to include Sweet potatoes in this amendment, as follows:

- *deleting Jerusalem artichokes **and sweet-potatoes** from Part I (Cereals; CN code 0714) and adding them to Part IX (Fruit and vegetables)*

2. Amendments to Regulations 228 and 229/2013

Both the Amending Regulation and the Transitional Regulation contain the same amendments to Regulations 228 and 229/2013. Since the Transitional Regulation will be agreed and adopted first, the corresponding amendments can be deleted from the Amending Regulation. The title, recitals and legal basis of the Amending Regulation would need to be adjusted accordingly.

PT Comment

We believe that further evaluation is needed in order to verify if the amendment foreseen in the Transitional Regulation remains effective in the year 2022 and onwards, since that regulation only applies to 2021.

Nevertheless, as previously mentioned along this regulation's discussion, PT doesn't agree with the amendment of Reg. 228/2013, as we believe that POSEI's budget should not be reduced, taking into account the effectiveness of this program in terms of the sustainability of agricultural activity in the Outermost Regions.

07/05/2020