



Council of the European Union
General Secretariat

**Interinstitutional files:
2018/0218(COD)**

Brussels, 22 April 2020

WK 4064/2020 INIT

LIMITE

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WORKING PAPER

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CONSULTATION

From:	General Secretariat of the Council
To:	Delegations
N° prev. doc.:	14535/19
N° Cion doc.:	7451/1/19 REV 1 + COR 1
Subject:	Regulation on common market organisation (CMO) of agricultural products - Drafting suggestions and request for comments

In order to make progress on the "Amending Regulation", the Presidency has prepared a set of suggested changes to the latest version of the Presidency text set out in document 14535/19 which reflected suggestions made by the AT, RO and FI Presidencies.

With this objective in mind, the Presidency invites delegations to send, in writing, their possible comments by **8 May 2020** (LIFE.1@consilium.europa.eu) on the suggested changes.

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Presidency paper

Drafting suggestions concerning the draft

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 ("Amending Regulation")

Presidency drafting suggestions on Regulation 1308/2013

(i) Article 149 of Regulation 1308/2013

Following the UK's departure from the EU, the curly brackets can be removed from around the provisions concerning the maximum percentage of EU raw milk production that can be covered in a contract negotiated by a producer organisation (recital (23a) and Article 1(22a)).

(ii) Other references to the UK

There are also references to the UK in Article 218(2), Annex VII, Part I, point III, Annex VII, Appendix I, point 1(c) and Annex VIII, Part II, point B.3 that need to be removed.

The other existing references are in provisions that will be deleted and replaced by new provisions in the Strategic Plans Regulation.

(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]:”.

(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).

(v) Annex VII, Appendix I, point 1(c)

Lithuania requested to be added to wine-growing zone A.

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.
