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CONTRIBUTION

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

Delegations will find attached the comments from the Belgian delegation.

Comments from the Belgian delegation

Following the Council Working Party that took place on the 20th of July, we would like to take this opportunity to comment on presidency proposal document 2018/0218 (COD).

Article 51 of the current Regulation (EU) nr. 1151/2012, states that *any natural or legal person having a legitimate interest may lodge a notice of opposition with the Member State in which it is established.*

Our proposal is to harmonize this procedure with the current wine legislation, article 98 of Regulation (EU) nr. 1308/2013.

Article 51, point 1 of Regulation 1151/2012 would then become:

1. *Within three months from the date of publication in the Official Journal of the European Union any Member State or third country, or any natural or legal person having a legitimate interest and resident or established in a Member State other than that applying for the protection or in a third country, may object to the proposed protection by submitting to the Commission a reasoned statement of opposition..*

In the case of natural or legal persons resident or established in third countries, such a statement shall be submitted, either directly or via the authorities of the third country concerned, within the three month period referred to in the first paragraph.

Our motivation:

Belgium and especially Brussels resides a lot of multinational companies and sector representations. In case these entities wish to submit an objection to a published proposal, at the moment, they need to do it via the Belgian authorities. The current approach puts Belgium in a position where it risks to be involved in objection procedures that are of no interest to us leading to (1) additional administrative processing and even to (2) diplomatic sensibilities as Belgium officially appears and is referred to as a country who opposes against another country.

Our request for the above mentioned amendment in the Regulation 1151/2012 is a follow up of the letter sent to the Commission by the Federal Public Service of the Kingdom of Belgium on 2nd March 2018.

Furthermore, It goes without saying that we propose a similar approach to the changes that have been proposed by the European Commission regarding the wine sector.