

Amendment 249**Eric Andrieu**

on behalf of the S&D Group

Anne Sander

on behalf of the PPE Group

Jérémy Decerle

on behalf of the Renew Group

Benoît Biteau

on behalf of the Verts/ALE Group

Ruža Tomašić

on behalf of the ECR Group

Petros Kokkalis

on behalf of the GUE/NGL Group

Report**A8-0198/2019****Eric Andrieu**Common agricultural policy – amendment of the CMO and other Regulations
(COM(2018)0394 – C8-0246/2018 – 2018/0218(COD))**Proposal for a regulation****Article 1 – paragraph 1 – point 26 d (new)**

Regulation No (EU) 1308/2013

Article 223

*Present text**Amendment***(26d) Article 223 is replaced by the following:**

Article 223

"Article 223

Communication requirements

Communication requirements

1. For the purposes of applying this Regulation, monitoring, analysing and managing the market in agricultural products, ensuring market transparency, the proper functioning of CAP measures, checking, controlling, monitoring, evaluating and auditing CAP measures, and complying with the requirements laid down in international agreements concluded in accordance with the TFEU, including notification requirements under those agreements, the Commission may, in accordance with the procedure referred to in paragraph 2, adopt the necessary measures regarding communications to be made by undertakings, Member States and

1. For the purposes of applying this Regulation, monitoring, analysing and managing the market in agricultural products, ensuring market transparency, the proper functioning of CAP measures, checking, controlling, monitoring, evaluating and auditing CAP measures, and complying with the requirements laid down in international agreements concluded in accordance with the TFEU, including notification requirements under those agreements, the Commission may, in accordance with the procedure referred to in paragraph 2, adopt the necessary measures regarding communications to be made by undertakings, Member States and

third countries. In so doing, it shall take into account the data needs and synergies between potential data sources.

The information obtained may be transmitted or made available to international organisations, the competent authorities of third countries and may be made public, subject to the protection of personal data and the legitimate interest of undertakings in the protection of their business secrets, including prices.

2. In order to ensure the integrity of information systems and the authenticity and legibility of documents and associated data transmitted, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 laying down:

- (a) the nature and type of information to be notified;
- (b) the categories of data to be processed, the maximum retention periods and the purpose of the processing, in particular in the event of the publication of such data and their transfer to third countries;
- (c) the access rights to the information or information systems made available;
- (d) the conditions of publication of the information;

third countries. In so doing, it shall take into account the data needs and synergies between potential data sources.

The information obtained may be transmitted or made available to international organisations, ***European and national financial market authorities***, the competent authorities of third countries and may be made public, subject to the protection of personal data and the legitimate interest of undertakings in the protection of their business secrets, including prices.

In order to ensure enhanced transparency in agricultural product markets, and in particular derivative markets of agricultural raw materials, the Commission, by means of the CMO, shall cooperate with national financial market authorities which are responsible, in accordance with Regulation (EU) 596/2014 (Market Abuse Regulation) and Directive 2014/57/EU (Market Abuse Directive), for the supervision and control of derivative financial instruments for agricultural raw materials, in order for them to properly fulfil their tasks.

2. In order to ensure the integrity of information systems and the authenticity and legibility of documents and associated data transmitted, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 laying down:

- (a) the nature and type of information to be notified;
- (b) the categories of data to be processed, the maximum retention periods and the purpose of the processing, in particular in the event of the publication of such data and their transfer to third countries;
- (c) the access rights to the information or information systems made available;
- (d) the conditions of publication of the information;

information.

3. The Commission shall adopt implementing acts laying down the measures necessary for the application of this Article, including:

- (a) the methods of notification;
- (b) rules on the information to be notified;
- (c) arrangements for the management of the information to be notified, as well as on the content, form, timing, frequency and deadlines of the notifications;
- (d) the arrangements for transmitting or making information and documents available to the Member States, international organisations, the competent authorities in third countries, or the public, subject to the protection of personal data and the legitimate interest of undertakings in the protection of their business secrets.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).

information.

2a. To ensure an adequate level of market transparency in compliance with business confidentiality, the Commission may, in accordance with the procedure referred to in paragraph 2, adopt measures that force players in markets that particularly lack transparency to perform their transactions via an electronic platform of exchange.

3. The Commission shall adopt implementing acts laying down the measures necessary for the application of this Article, including:

- (a) the methods of notification;
- (b) rules on the information to be notified;
- (c) arrangements for the management of the information to be notified, as well as on the content, form, timing, frequency and deadlines of the notifications;
- (d) the arrangements for transmitting or making information and documents available to the Member States, international organisations, the competent authorities in third countries, or the public, subject to the protection of personal data and the legitimate interest of undertakings in the protection of their business secrets.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).”

Or. en

14.10.2020

A8-0198/250

Amendment 250

Eric Andrieu

on behalf of the S&D Group

Anne Sander

on behalf of the PPE Group

Jérémy Decerle

on behalf of the Renew Group

Benoît Biteau

on behalf of the Verts/ALE Group

Ruža Tomašić

on behalf of the ECR Group

Petros Kokkalis

on behalf of the GUE/NGL Group

Report

Eric Andrieu

Common agricultural policy – amendment of the CMO and other Regulations
(COM(2018)0394 – C8-0246/2018 – 2018/0218(COD))

A8-0198/2019

Proposal for a regulation

Article 1 – paragraph 1 – point 28 a (new)

Regulation No (EU) 1308/2013

ANNEX I – PART XXXIII a (new)

Text proposed by the Commission

Amendment

(28a) In Annex I, the following Part is inserted:

"PART XXIIIa

Animal genetics products

01012100 - Pure-bred breeding horses

**010221 - Pure-bred domestic breeding
bovines**

**01022110 - Pure-bred domestic breeding
bovines (heifers)**

**01022190 - Pure-bred domestic breeding
bovines (other than 01012110 or
01012130)**

01023100 - Pure-bred breeding buffalo

**01029020 - Live pure-bred breeding
bovine animals, other than 010221 or
01023100**

01031000 - Live pure-bred breeding swine

01041010 - Live pure-bred breeding sheep

01051111 - Fowls of the species Gallus domesticus: Grandparent and parent female chicks, laying stocks

01051119 - Fowls of the species Gallus domesticus: Grandparent and parent female chicks other than 01051111

010641 – Live pure-bred honeybee queens of the species Apis mellifera

04071100 - Fertilised eggs for incubation, from poultry of the species Gallus domesticus

040719 - Fertilised eggs for incubation other than 04071100

04071911 - Fertilised eggs for incubation, from turkey or geese

04071919 - Fertilised eggs for incubation, from poultry other than the species Gallus domesticus and other than turkey or geese

04071990 - Fertilised eggs for incubation other than from poultry

05111000 - Bovine semen

05119985 - Animal products not elsewhere specified or included, other than 05111000 (including mammalian semen other than bovine semen, mammalian ova and mammalian embryos)”

Or. en

14.10.2020

A8-0198/251

Amendment 251

Eric Andrieu

on behalf of the S&D Group

Anne Sander

on behalf of the PPE Group

Jérémy Decerle

on behalf of the Renew Group

Benoît Biteau

on behalf of the Verts/ALE Group

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A8-0198/2019

Proposal for a regulation

Article 2 – paragraph 1 – point 2

Regulation No (EU) 1151/2012

Article 5

Text proposed by the Commission

Amendment

Article 5

Requirements for designations of origin
and geographical indications

1. For the purpose of this Regulation,
‘designation of origin’ is a name which
identifies a product:

(a) originating in a specific place,
region or, in exceptional cases, a country;

(b) whose quality or characteristics are
essentially or exclusively due to a
particular geographical environment with
its ***inherent*** natural and human factors; ***and***

(c) the production steps of which all

**(2) Article 5 is replaced by the
following:**

"Article 5

Requirements for designations of origin
and geographical indications

1. For the purpose of this Regulation,
‘designation of origin’ is a name which
identifies a product:

(a) originating in a specific place,
region or, in exceptional cases, a country
***or a name traditionally used in a specific
place;***

(b) whose quality or characteristics are
essentially or exclusively due to a
particular geographical environment, with
its natural ***factors*** and human factors;

(c) the production steps of which all

take place in the defined geographical area.

2. For the purpose of this Regulation, 'geographical indication' is a name which identifies a product:

- (a) originating in a specific place, region or country;
- (b) whose given quality, reputation or other characteristic is essentially attributable to its geographical origin; and
- (c) at least one of the production steps of which take place in the defined geographical area.

3. Notwithstanding paragraph 1, certain names shall be treated as designations of origin even though the raw materials for the products concerned come from a geographical area larger than, or different from, the defined geographical area, provided that:

- (a) the production area of the raw materials is defined;
- (b) special conditions for the production of the raw materials exist;
- (c) there are control arrangements to ensure that the conditions referred to in point (b) are adhered to; and
- (d) the designations of origin in question were recognised as designations of origin in the country of origin before 1 May 2004.

Only live animals, meat and milk may be considered as raw materials for the purposes of this paragraph.

4. In order to take into account the specific character of production of products of animal origin, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin.

In addition, in order to take into account

take place in the defined geographical area.

2. For the purpose of this Regulation, 'geographical indication' is a name which identifies a product:

- (a) originating in a specific place, region or country, ***or a name traditionally used in a specific place;***
- (b) whose given quality, reputation or other characteristic is essentially attributable to its geographical origin; and
- (c) at least one of the production steps of which take place in the defined geographical area.

3. Notwithstanding paragraph 1, certain names shall be treated as designations of origin even though the raw materials for the products concerned come from a geographical area larger than, or different from, the defined geographical area, provided that:

- (a) the production area of the raw materials is defined;
- (b) special conditions for the production of the raw materials exist;
- (c) there are control arrangements to ensure that the conditions referred to in point (b) are adhered to; and
- (d) the designations of origin in question were recognised as designations of origin in the country of origin before 1 May 2004.

Only live animals, meat and milk may be considered as raw materials for the purposes of this paragraph.

4. In order to take into account the specific character of production of products of animal origin, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin.

In addition, in order to take into account

the specific character of certain products or areas, the Commission shall be empowered to adopt delegated acts in accordance with Article 56, concerning restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials.

These restrictions and derogations shall, based on objective criteria, take into account quality or usage and recognised know-how or natural factors.

the specific character of certain products or areas, the Commission shall be empowered to adopt delegated acts in accordance with Article 56, concerning restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials.

These restrictions and derogations shall, based on objective criteria, take into account quality or usage and recognised know-how or natural factors.”

Or. en

14.10.2020

A8-0198/252

Amendment 252

Eric Andrieu

on behalf of the S&D Group

Anne Sander

on behalf of the PPE Group

Jérémy Decerle

on behalf of the Renew Group

Benoît Biteau

on behalf of the Verts/ALE Group

Ruža Tomašić

on behalf of the ECR Group

Petros Kokkalis

on behalf of the GUE/NGL Group

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Eric Andrieu

Common agricultural policy – amendment of the CMO and other Regulations
(COM(2018)0394 – C8-0246/2018 – 2018/0218(COD))

A8-0198/2019

Proposal for a regulation

Article 2 – paragraph 1 – point 3

Regulation No (EU) 1151/2012

Article 7

Text proposed by the Commission

Amendment

Article 7

Product specification

1. A protected designation of origin or a protected geographical indication shall comply with a specification which shall include at least:

(a) the name to be protected as a designation of origin or geographical indication, as it is used, whether in trade or in common language, and only in the languages which are or were historically used to describe the specific product in the defined geographical area;

(b) a description of the product, including the raw materials, if appropriate, as well as the principal physical, chemical,

(3) Article 7 is replaced by the following:

"Article 7

Product specification

1. A protected designation of origin or a protected geographical indication shall comply with a specification which shall include at least:

(a) the name to be protected as a designation of origin or geographical indication, as it is used, whether in trade or in common language, and only in the languages which are or were historically used to describe the specific product in the defined geographical area;

(b) a description of the product, including the raw materials, if appropriate, as well as the principal physical, chemical,

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microbiological or organoleptic characteristics of the product;

(c) the definition of the geographical area delimited with regard to the link referred to in point (f)(i) or (ii) of this paragraph, and, where appropriate, details indicating compliance with the requirements of Article 5(3);

(d) evidence that the product originates in the defined geographical area referred to in Article 5(1) **or** (2);

(e) a description of the method of obtaining the product and, where appropriate, the authentic and unvarying local methods as well as information concerning packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

(f) details establishing the following:

(i) the link between the quality or characteristics of the product and the geographical environment referred to in Article 5(1); or

(ii) **where appropriate**, the link between a given quality, the reputation or other characteristic of the product and the geographical origin referred to in Article 5(2);

(g) the name and address of the authorities or, if available, the name and address of bodies verifying compliance with the provisions of the product specification pursuant to Article 37 and their specific tasks;

(h) any specific labelling rule for the

microbiological or organoleptic characteristics of the product;

(c) the definition of the geographical area delimited with regard to the link referred to in point (f)(i) or (ii) of this paragraph, and, where appropriate, details indicating compliance with the requirements of Article 5(3);

(d) evidence **of traceability proving** that the product originates in the defined geographical area referred to in Article 5(1) **and** (2);

(e) a description of the method of obtaining the product and, where appropriate, **its contribution to sustainable development**, the authentic and unvarying local methods as well as information concerning packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

(f) details establishing the following:

(i) **as regards a protected designation of origin** the link between the quality or characteristics of the product and the geographical environment referred to in Article 5(1); or

(ii) **as regards a protected geographical indication**, the link between a given quality, the reputation or other characteristic of the product and the geographical origin referred to in Article 5(2);

(g) the name and address of the authorities or, if available, the name and address of bodies verifying compliance with the provisions of the product specification pursuant to Article 37 and their specific tasks;

(h) any specific labelling rule for the

product in question.

2. In order to ensure that product specifications provide relevant and succinct information, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down rules which limit the information contained in the specification referred to in paragraph 1 of this Article, where such a limitation is necessary to avoid excessively voluminous applications for registration.

The Commission may adopt implementing acts laying down rules on the form of the specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

product in question.

2. In order to ensure that product specifications provide relevant and succinct information, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down rules which limit the information contained in the specification referred to in paragraph 1 of this Article, where such a limitation is necessary to avoid excessively voluminous applications for registration.

The Commission may adopt implementing acts laying down rules on the form of the specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).”

Or. en

14.10.2020

A8-0198/253

Amendment 253

Eric Andrieu

on behalf of the S&D Group

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A8-0198/2019

Eric Andrieu

Common agricultural policy – amendment of the CMO and other Regulations
(COM(2018)0394 – C8-0246/2018 – 2018/0218(COD))

Proposal for a regulation

Article 2 – paragraph 1 – point 5

Regulation No (EU) 1308/2013

Article 13

Present text

Amendment

Article 13

Protection

1. Registered names shall be protected against:

(a) any direct or indirect commercial use of a registered name in respect of products not covered by the registration where those products are comparable to the products registered under that name or where using the name exploits the reputation of the protected name, including when those products are used as an ingredient;

(b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected

(5) Article 13 is replaced by the following:

"Article 13

Protection

1. Registered names shall be protected against:

(a) any direct or indirect commercial use of a registered name in respect of products not covered by the registration where those products are comparable to the products registered under that name or where using the name exploits, ***weakens or dilutes*** the reputation of the protected name, including when those products are used as an ingredient;

(b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected

name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’ or similar, including when those products are used as an ingredient;

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

(d) any other practice liable to mislead the consumer as to the true origin of the product.

Where a protected designation of origin or a protected geographical indication contains within it the name of a product which is considered to be generic, the use of that generic name shall not be considered to be contrary to points (a) or (b) of the first subparagraph.

2. Protected designations of origin and protected geographical indications shall not become generic.

3. Member States shall take appropriate administrative and judicial steps to prevent or stop the unlawful use of protected designations of origin and protected geographical indications, as referred to in paragraph 1, that are produced or marketed in that Member State.

name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’ or similar, including when those products are used as an ingredient;

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

(d) any other practice liable to mislead the consumer as to the true origin of the product;

(da) any registration, in bad faith, of a domain name that is similar or that may be confused, in full or in part, with a protected name.

Where a protected designation of origin or a protected geographical indication contains within it the name of a product which is considered to be generic, the use of that generic name shall not be considered to be contrary to points (a) or (b) of the first subparagraph.

2. Protected designations of origin and protected geographical indications shall not become generic.

3. Member States shall take appropriate administrative and judicial steps to prevent or stop the unlawful use of protected designations of origin and protected geographical indications, as referred to in paragraph 1, that are produced or marketed in that Member State.

3a. The protection referred to in paragraph 1 of this Article shall also apply with regard to goods in transit within the meaning of point 44 of Article 3 of Regulation (EU) No 2017/625 entering the customs territory of the Union without being released for free

circulation within the customs territory of the Union and with regard to goods sold through means of distance communication.

To that end Member States shall designate the authorities that are responsible for taking these steps in accordance with procedures determined by each individual Member State.

These authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions.

To that end Member States shall designate the authorities that are responsible for taking these steps in accordance with procedures determined by each individual Member State.

These authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions.”

Or. en