




Procedure file

Basic information	
CNS - Consultation procedure Regulation	2008/0156(CNS) Procedure completed
Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation	
Amending Regulation (EC) No 1184/2006 2005/0231(CNS)	
Amending Regulation (EC) No 1234/2007 2006/0269(CNS)	
Repealing Regulation (EC) No 479/2008 2007/0138(CNS)	
Subject 3.10.06.08 Wine, alcoholic and non-alcoholic beverages	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Agriculture and Rural Development	PPE-DE PARISH Neil	24/06/2008
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2944	25/05/2009
European Commission	Commission DG	Commissioner	
	Agriculture and Rural Development	FISCHER BOEL Mariann	

Key events			
29/07/2008	Legislative proposal published	COM(2008)0489	Summary
10/09/2008	Vote in committee		Summary
23/09/2008	Committee referral announced in Parliament		
25/09/2008	Committee report tabled for plenary, 1st reading/single reading	A6-0368/2008	
19/11/2008	Debate in Parliament		
20/11/2008	Results of vote in Parliament		
20/11/2008	Decision by Parliament	T6-0559/2008	Summary
25/05/2009	Act adopted by Council after consultation of Parliament		
25/05/2009	End of procedure in Parliament		
17/06/2009	Final act published in Official Journal		

Technical information	
Procedure reference	2008/0156(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 1184/2006 2005/0231(CNS) Amending Regulation (EC) No 1234/2007 2006/0269(CNS) Repealing Regulation (EC) No 479/2008 2007/0138(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 036; EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/6/66012

Documentation gateway					
Legislative proposal		COM(2008)0489	29/07/2008	EC	Summary
Committee draft report		PE411.930	19/08/2008	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0368/2008	25/09/2008	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0559/2008	20/11/2008	EP	Summary

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

Final act
Regulation 2009/491 OJ L 154 17.06.2009, p. 0001 Summary Corrigendum to final act 32099R0491R(01) OJ L 313 26.11.2011, p. 0047

Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation

PURPOSE: to incorporate the wine sector, in full, into Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ("single CMO Regulation");

PROPOSED ACT: Council Regulation.

BACKGROUND: to recall, in 2007 the Council adopted Council Regulation (EC) No 1234/2007 on the establishment of a common organisation of agricultural markets and on specific provisions for certain agricultural products ? the Single CMO Regulation. (See [CNS/2006/0269](#)). One of the single CMO Regulation?s main objectives is to simplify the Common Agricultural Policy by replacing all of the Regulations adopted by the Council since the introduction of CAP, into one single legal act.

Simplification of CAP secondary legislation does not question policy decisions that have been taken in respect to the CAP and it does not envisage the introduction of any new instruments or measures. Thus, the CMO Regulation reflects the CAP up to the point at which the CMO Regulation was adopted.

Since the adoption of the single SMO Regulation the Council approved legislation reforming the Community?s wine market. (Council Regulation (EC) No 479/2008 (see [CNS/2007/0138](#)).

CONTENT: the purpose of this proposal is to incorporate the wine sector, in full, into the single CMO Regulation. The incorporation of these provisions into the single CMO Regulation will follow the same approach, namely not to call into question any policy decisions taken when

those provisions were adopted by the Council. The Commission is also proposing that the wine sector should be excluded from the scope of Regulation (EC) No 1184/2006 applying certain rules of competition to the production of, and trade in, agricultural products. This is because the single CMO Regulation already incorporates provisions concerning the applicability of competition rules under the Treaty.

On a final point and in order not to interfere with the ongoing 2008/2009 marketing year for wine, the proposed amendments should apply as of the start of the next marketing year for wine ? i.e. as of 1 August 2009.

Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation

The Committee on Agriculture and Rural Development adopted a report drafted by Neil PARISH (EPP-ED, UK) and approved the on the proposal for a Council regulation amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ("single CMO Regulation").

Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation

The European Parliament adopted, by 478 votes to 63 with 18 abstentions, a legislative resolution approving, in the framework of the consultation procedure, the proposal for a Council regulation amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ("single CMO Regulation"). The report had been tabled for consideration in plenary by Neil PARISH (EPP-ED, UK), on behalf of the Committee on Agriculture and Rural Development.

Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation

PURPOSE: to incorporate the wine sector, in full, into Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation).

LEGISLATIVE ACT: Council Regulation (EC) No 491/2009 amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation).

CONTENT: in view of simplifying the regulatory environment of the common agricultural policy (CAP), [Regulation \(EC\) No 1234/2007](#) (Single CMO Regulation) repealed, and replaced by one single legal act, all the regulations which the Council had adopted since the introduction of the CAP in the framework of the establishment of common organisations of the markets for agricultural products or groups of products. As highlighted in the Single CMO Regulation, that act of simplification was not meant to call into question policy decisions that had been taken over the years in the CAP. It therefore did not envisage providing for any new instruments or measures. The Single CMO Regulation thus reflects the policy decisions taken up to the moment when its text was proposed by the Commission.

In parallel to the negotiations and adoption of the Single CMO Regulation, the Council also started to negotiate a policy reform in the wine sector which has now been finalised by the adoption of Council Regulation (EC) No 479/2008. Only those provisions of the wine sector which were not subject to any policy reforms were initially incorporated into the Single CMO Regulation. These substantive provisions which were subject to policy amendments were to be incorporated into the Single CMO Regulation once they had been enacted. Since such substantive provisions have now been enacted, the wine sector should now be fully incorporated into the Single CMO Regulation.

The incorporation of these provisions into the Single CMO Regulation should follow the same approach as that taken for the adoption of the Single CMO Regulation, namely by not calling into question the policy decisions taken when those provisions were adopted by the Council or the motivation for those policy decisions as expressed in the relevant recitals of the respective Regulations. The Single CMO Regulation should therefore be amended accordingly.

The Single CMO Regulation incorporated the provisions concerning the applicability of competition rules under the Treaty in respect of the sectors it covered. Such provisions had, until then, been incorporated in Council Regulation (EC) No 1184/2006 applying certain rules of competition to the production of, and trade in, agricultural products. The Single CMO Regulation therefore adapted the scope of Regulation (EC) No 1184/2006. Due to the full incorporation of the wine sector into the Single CMO Regulation, and the extension of the competition rules contained therein to that sector, provision should be made to exclude the wine sector from the scope of Regulation (EC) No 1184/2006.

It is appropriate to clarify that any element of State aid that may be included in the national support programmes referred to in this Regulation is to be assessed in the light of the Community's substantive rules on State aid. Since the procedure laid down by this Regulation for the approval of those support programmes enables the Commission to ensure that the Community's substantive rules on State aid, and in particular those contained in the "Community guidelines for State aid in the agriculture and forestry sector 2007 to 2013" are respected, no further notification should be required. Moreover, in the interests of legal certainty, it is appropriate to recall that the repeal of Regulation (EC) No 479/2008 does not affect the validity of any legal acts adopted on the basis of that repealed act.

ENTRY INTO FORCE: 24/06/2009.

APPLICATION: in order not to interfere with the ongoing 2008/2009 marketing year for wine, the proposed amendments should apply as of the start of the next marketing year for wine ? i.e. as of 1 August 2009.