



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Agriculture and Rural Development

2010/0362(COD)

28.3.2011

AMENDMENTS

41 - 172

Draft report
James Nicholson
(PE456.663v01-00)

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector

Proposal for a directive – amending act
(COM(2010)0728 – C7-0408/2010 – 2010/0362(COD))

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PE460.810v01-00

EN

United in diversity

EN

Amendment 41

Michel Dantin

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) Successive reforms of the common market organisation covering milk and milk products, now contained in Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), have been aimed at market-orientation (i.e. letting price signals guide the decisions of farmers in terms of what and how much to produce) so as to strengthen the competitive situation of the dairy sector and its sustainability in the context of globalised trade. By Council Regulation (EC) No 72/2009 of 19 January 2009 on modifications to the Common Agricultural Policy by amending Regulations (EC) No 247/2006, (EC) No 320/2006, (EC) No 1405/2006, (EC) No 1234/2007, (EC) No 3/2008 and (EC) No 479/2008 and repealing Regulations (EEC) No 1883/78, (EEC) No 1254/89, (EEC) No 2247/89, (EEC) No 2055/93, (EC) No 1868/94, (EC) No 2596/97, (EC) No 1182/2005 and (EC) No 315/20075 , ("Health Check" reform of 2008-2009) it was therefore decided that it was necessary to increase quotas gradually in order to ensure a smooth transition to the end of the milk quota system in 2015.

Amendment

(1) Successive reforms of the common market organisation covering milk and milk products, now contained in Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), have been aimed at market-orientation (i.e. letting price signals guide the decisions of farmers in terms of what and how much to produce) so as to strengthen the competitive situation of the dairy sector and its sustainability in the context of globalised trade. By Council Regulation (EC) No 72/2009 of 19 January 2009 on modifications to the Common Agricultural Policy by amending Regulations (EC) No 247/2006, (EC) No 320/2006, (EC) No 1405/2006, (EC) No 1234/2007, (EC) No 3/2008 and (EC) No 479/2008 and repealing Regulations (EEC) No 1883/78, (EEC) No 1254/89, (EEC) No 2247/89, (EEC) No 2055/93, (EC) No 1868/94, (EC) No 2596/97, (EC) No 1182/2005 and (EC) No 315/20075 , ("Health Check" reform of 2008-2009) it was therefore decided that it was necessary to increase quotas gradually in order to ensure a smooth transition to the end of the milk quota system in 2015. ***However, Regulation (EC) No 1234/2007, as amended by Regulation (EC) No 72/2009, provides in Article 184(6) for the Commission to submit reports to Parliament and the Council, by 31 December 2010 and 31 December 2012,***

on the evolution of the milk market situation and the consequent conditions for smoothly phasing out the milk quota system, backed up by the appropriate proposals.

Or. fr

Amendment 42
Maria do Céu Patrão Neves

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Successive reforms of the common market organisation covering milk and milk products, now contained in Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), have been aimed at market-orientation (i.e. letting price signals guide the decisions of farmers in terms of what and how much to produce) so as to strengthen the competitive situation of the dairy sector and its sustainability in the context of globalised trade. By Council Regulation (EC) No 72/2009 of 19 January 2009 on modifications to the Common Agricultural Policy by amending Regulations (EC) No 247/2006, (EC) No 320/2006, (EC) No 1405/2006, (EC) No 1234/2007, (EC) No 3/2008 and (EC) No 479/2008 and repealing Regulations (EEC) No 1883/78, (EEC) No 1254/89, (EEC) No 2247/89, (EEC) No 2055/93, (EC) No 1868/94, (EC) No 2596/97, (EC) No 1182/2005 and (EC) No 315/2007, ("Health Check" reform of 2008-2009) it was therefore decided **that it was necessary** to increase quotas gradually **in order to ensure** a smooth transition to the

Amendment

(1) Successive reforms of the common market organisation covering milk and milk products, now contained in Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), have been aimed at market-orientation (i.e. letting price signals guide the decisions of farmers in terms of what and how much to produce) so as to strengthen the competitive situation of the dairy sector and its sustainability in the context of globalised trade, **without however renouncing appropriate regulation instruments, rejecting a pure liberalisation of the sector**. By Council Regulation (EC) No 72/2009 of 19 January 2009 on modifications to the Common Agricultural Policy by amending Regulations (EC) No 247/2006, (EC) No 320/2006, (EC) No 1405/2006, (EC) No 1234/2007, (EC) No 3/2008 and (EC) No 479/2008 and repealing Regulations (EEC) No 1883/78, (EEC) No 1254/89, (EEC) No 2247/89, (EEC) No 2055/93, (EC) No 1868/94, (EC) No 2596/97, (EC) No 1182/2005 and (EC) No 315/2007, ("Health Check" reform of 2008-2009) it

end of the milk quota system in 2015.

was therefore decided, ***given the situation in the sector at that time and its recent development***, to increase quotas gradually, ***as one way of ensuring*** a smooth transition to the end of the milk quota system in 2015.

Or. pt

Amendment 43
Luís Paulo Alves

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) There are disadvantaged regions that depend heavily on milk production, where it is necessary to assess the guidelines laid down for the milk and milk products sector, as recognised in the Treaties, so that support and the application of these policies continue to be adapted to their specific characteristics.

Or. pt

Amendment 44
Elisabeth Jeggle

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) In 2007-2009, exceptional developments took place in milk and milk products sector ***markets. Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had***

(2) In 2007-2009, exceptional developments took place in milk and milk products sector ***causing extreme price volatility, ultimately resulting in a price crash in 2009***, down to the lower safety net level, ***which forced many dairy farmers in Europe out of business and put the viability of many other milk producers at***

started to return to more normal levels, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, and preventing demand for them to adjust to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

serious risk.

Or. de

Amendment 45

Maria do Céu Patrão Neves

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) In 2007-2009, exceptional developments took place in milk and milk products sector markets. Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to return to more normal levels, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy

Amendment

(2) In 2007-2009, exceptional developments took place in milk and milk products sector markets ***which, it is now recognised, are tending to recur.*** Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to return to more normal levels ***in some European regions,*** the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating

increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to **fully** translate into **lower** dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products **and countries**, and **preventing** demand for them to adjust to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to translate into **a proportional fall in** dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products, and **making it difficult for** demand for them to adjust to low commodity prices, **in some cases** slowing down **and in other cases influencing** price recovery and exacerbating the impact of low prices on milk producers, **leading to mounting debts among producers, making many farms unsustainable and forcing farmers to give up farming. It is in this context of falling income for producers and recurrent price volatility, along with the announced end of quotas, that consideration should be given to some compensation for the acquired quota and that a regulation is required which will at the very least provide the milk sector with the level of management and information that were previously guaranteed.**

Or. pt

Amendment 46
Michel Dantin

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) In 2007-2009, exceptional developments took place in milk and milk products sector markets. Initially, extreme

Amendment

(2) In 2007-2009, exceptional developments took place in *the* milk and milk products sector markets, **and had an**

weather conditions in Oceania brought about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to return to more normal levels, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, **and preventing** demand for them *to adjust* to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

unprecedented impact on the industry's activity in Europe. Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to return to more normal levels, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries. ***This prevented*** demand for them *from adjusting* to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers, ***putting a substantial number of them in an inextricable financial situation.***

Or. fr

Amendment 47
Béla Glattfelder

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) In 2007-2009, exceptional developments took place in milk and milk products sector markets. Initially, extreme weather conditions in Oceania brought

Amendment

(2) In 2007-2009, exceptional developments took place in milk and milk products sector markets. Initially, extreme weather conditions in Oceania brought

about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to **return to more normal levels**, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, and preventing demand for them to adjust to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to **decrease**, the subsequent **decisions to raise milk quotas and the** financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, and preventing demand for them to adjust to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

Or. en

Amendment 48

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Wojciech Michał Olejniczak, Csaba Sándor Tabajdi

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) In 2007-2009, **exceptional** developments took place in milk and milk products sector markets. Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had

Amendment

(2) In 2007-2009, developments took place in milk and milk products sector markets. Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to return to more normal levels, the

started to return to more normal levels, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, and preventing demand for them *to adjust* to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, and preventing demand for them *from adjusting* to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

Or. fr

Amendment 49
Martin Häusling, Alyn Smith

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) In 2007-2009, exceptional developments took place in milk and milk products sector markets. Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to return to more normal levels, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher

Amendment

(2) In 2007-2009, exceptional developments took place in milk and milk products sector markets. Initially, extreme weather conditions in Oceania brought about a significant decline in supplies, leading to a rapid and significant increase in prices. Yet while world supplies had started their recovery, and prices had started to return to more normal levels, the subsequent financial and economic crisis negatively affected EU dairy producers, aggravating price volatility. Initially feed and other input costs including energy increased significantly as a result of higher

commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, and preventing demand for them to adjust to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

commodity prices. Subsequently, a drop in worldwide, as well as EU, demand, including for milk and milk products, whilst EU production was stable led to a collapse in EU prices, down to the lower safety net level. **Moreover, this crisis has occurred in the context of global conditions entailing a substantial protein deficit in the European Union, which is referred to in the European Parliament's resolution of 8 March 2011 on 'the EU protein deficit: what solution for a long-standing problem?'** This sharp decline in dairy commodity prices failed to fully translate into lower dairy prices at consumer levels, generating a widening in the gross margin of the downstream sectors for most milk and milk sector products and countries, and preventing demand for them to adjust to low commodity prices, slowing down price recovery and exacerbating the impact of low prices on milk producers.

Or. de

Amendment 50
Michel Dantin

Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) These exceptional developments have further highlighted the essential role played by producers benefiting from protected designation of origin (PDO) or protected geographical indication (PGI), especially as regards creating added value for producers and the economic good health of rural regions, particularly the most vulnerable ones. To recognise, preserve and develop that role there is a need to authorise for such quality products, in conjunction with the guidelines set out in Article 184(6) of

Regulation (EC) No 1234/2007, as amended by Regulation (EC) No 72/2009, the implementation of instruments to regulate supply, thus enabling their producers to make an important contribution to the stability and competitiveness of the European dairy sector.

Or. fr

Amendment 51

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Maria do Céu Patrão Neves, Wojciech Michał Olejniczak

**Proposal for a regulation
Recital 2 a (new)**

Text proposed by the Commission

Amendment

(2a) The European dairy sector has become subject to market logic and is suffering terribly from the deregulation advocated by the liberal model and the resulting price volatility. The unprecedented dairy crisis that Europe experienced in 2009 is a well-known example. It plunged European agriculture into total disarray, such was the fall in production prices, with Europe's farmers no longer able to face up to their production costs and obtain a reasonable profit margin. There is thus a need to take a position in favour of regulating the dairy market in such a way that supply meets the demand and production prices rise again, and to establish a new balance in the supply chain for dairy products. To achieve this, regulatory intervention by the public authorities is justified in order to adjust production to market requirements in the medium and long term.

Or. fr

Amendment 52
Béla Glattfelder

Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The Commission based its proposals to raise milk quotas on unfounded market assumptions, and its subsequent decisions contributed to deteriorating market conditions.

Or. en

Amendment 53
Michel Dantin

Proposal for a regulation
Recital 3

Text proposed by the Commission

Amendment

(3) In October 2009, in ***light of this difficult market situation for*** milk, a High Level Expert Group on Milk ("HLG") was set up ***with the*** purpose of discussing mid-term and long-term arrangements for the milk and milk products sector, ***given*** the expiry of dairy quotas ***in 2015. While respecting the outcome of the Health Check, the HLG was to*** work on a regulatory framework to be put in place, to contribute to stabilising the market and producers' income and enhance ***its*** transparency.

(3) In October 2009, in ***response to the alarming situation facing European milk producers,*** a High Level Expert Group on Milk ("HLG") was set up; its purpose ***was*** discussing mid-term and long-term arrangements for the milk and milk products sector ***designed to cushion the adverse effects of*** the expiry of dairy quotas ***and*** work on a regulatory framework to be put in place, to contribute to stabilising the market and producers' income and enhance ***the sector's*** transparency.

Or. fr

Amendment 54
Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll,

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) In October 2009, in light of this difficult market situation for milk, a High Level Expert Group on Milk ("HLG") was set up with the purpose of discussing mid-term and long-term arrangements for the milk and milk products sector, given the expiry of dairy quotas in 2015. While respecting the outcome of the Health Check, the HLG was to work on a regulatory framework to be put in place, to contribute to stabilising the market and producers' income and enhance its transparency.

Amendment

(3) In October 2009, in light of this difficult market situation for milk, a High Level Expert Group on Milk ("HLG") was set up with the purpose of discussing mid-term and long-term arrangements for the milk and milk products sector, given the expiry of dairy quotas in 2015. While respecting the outcome of the Health Check, the HLG was to work on a regulatory framework to be put in place, to contribute to stabilising the market and producers' income and enhance its transparency. ***Without a policy to stabilise production prices, strong price fluctuations lead to mechanisms that particularly benefit processors and increase their profit margins. As a result the price rises are passed on to consumers, whereas the producers' falling prices only sporadically lead to a fall in consumer prices.***

Or. fr

Amendment 55

Maria do Céu Patrão Neves

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) In October 2009, in light of this difficult market situation for milk, a High Level Expert Group on Milk ("HLG") was set up with the purpose of discussing mid-term and long-term arrangements for the milk and milk products sector, ***given*** the expiry of dairy quotas in 2015. While

Amendment

(3) In October 2009, in light of this difficult market situation for milk, a High Level Expert Group on Milk ("HLG") was set up with the purpose of discussing mid-term and long-term arrangements for the milk and milk products sector, ***in a context that was restricted in advance to the***

respecting the outcome of the Health Check, the HLG was to work on a regulatory framework to be put in place, to contribute to stabilising the market and producers' income and enhance its transparency.

expiry of dairy quotas in 2015. While respecting the outcome of the Health Check, the HLG was to work on a regulatory framework to be put in place, to contribute to stabilising the market and producers' income and enhance its transparency.

Or. pt

Amendment 56
Luis Paulo Alves

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) It is however necessary to reassess the decision to abolish the milk quota scheme in March 2015 in accordance with the specific situation in the milk and milk products sector.

Or. pt

Amendment 57
Astrid Lulling

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Since the quota regime will expire in 2015 there is a need to scale down the levy by 2015 in order to secure as smooth a transition as possible from the current quota system to a free market.

Or. fr

Amendment 58

Sergio Gutiérrez Prieto, Iratxe García Pérez

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The HLG obtained oral and written input from major European stakeholder groups in the dairy supply chain **representing farmers, dairy processors, dairy traders, retailers and consumers. Further, the HLG received contributions from invited academic experts, third country representatives, National Competition Authorities and the Commission's services. A dairy stakeholder conference was also held on 26 March 2010 allowing a wider range of actors in the supply chain to express their views. The HLG** delivered its report on 15 June 2010, **which** contained an analysis of the current situation of the dairy sector and number of recommendations.

Amendment

(4) The HLG obtained oral and written input from major European stakeholder groups in the dairy supply chain and delivered its report on 15 June 2010. **The report** contained an analysis of the current situation of the dairy sector and a number of recommendations **which focused on contractual relations, the bargaining power of producers, inter-professional/interbranch organisations, transparency, market measures and futures, marketing standards and origin labelling and innovation and research.**

Or. es

Justification

We consider it indispensable to include an explicit reference to producer organisations.

Amendment 59

Maria do Céu Patrão Neves

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The HLG obtained oral and written input from major European stakeholder groups in the dairy supply chain representing farmers, dairy processors, dairy traders, retailers and consumers.

Amendment

(4) The HLG obtained oral and written input from major European stakeholder groups in the dairy supply chain representing farmers, dairy processors, dairy traders, retailers and consumers.

Further, the HLG received contributions from invited academic experts, third country representatives, National Competition Authorities and the Commission's services. A dairy stakeholder conference was also held on 26 March 2010 allowing a wider range of actors in the supply chain to express their views. The HLG delivered its report on 15 June 2010, which *contained* an analysis *of* the current situation of the dairy sector *and* number of recommendations.

Further, the HLG received contributions from invited academic experts, third country representatives, National Competition Authorities and the Commission's services. A dairy stakeholder conference was also held on 26 March 2010 allowing a wider range of actors in the supply chain to express their views. The HLG delivered its report on 15 June 2010, which, *without constituting an overview of the contributions received, presented* an analysis *and interpretation in line with the HLG's own criteria. In this context, the report on* the current situation of the dairy sector *formulated a* number of recommendations, *relating in particular to contractualising supplies, strengthening the bargaining power of producers and strengthening the role of inter-branch organisations, whilst omitting to make any reference to distribution.*

Or. pt

Amendment 60
Michel Dantin

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) The HLG obtained oral and written input from major European stakeholder groups in the dairy supply chain representing farmers, dairy processors, dairy traders, retailers and consumers. Further, the HLG received contributions from invited academic experts, third country representatives, National Competition Authorities and the Commission's services. A dairy stakeholder conference was also held on 26 March 2010 allowing a wider range of actors in the supply chain to express their views. The HLG delivered its report on 15 June

Amendment

(4) The HLG obtained oral and written input from major European stakeholder groups in the dairy supply chain representing farmers, dairy processors, dairy traders, retailers and consumers. Furthermore, the HLG received contributions from invited academic experts, third country representatives, National Competition Authorities and the Commission's services. A dairy stakeholder conference was also held on 26 March 2010 which allowed a wider range of actors in the supply chain to express their views. The HLG delivered its report on 15

2010, which contained an analysis of the current situation of the dairy sector and number of recommendations.

June 2010, which contained an analysis of the current situation of the dairy sector and a number of recommendations, *which focused on contractual relations, the bargaining power of producers and inter-professional/interbranch organisations, transparency, market measures and futures, marketing standards, origin labelling and innovation and research.*

Or. fr

Amendment 61
Michel Dantin

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) The HLG noted that the dairy producing and processing sectors are highly differentiated between Member States. There is *also* a highly variable situation between operators and types of operators within individual Member States. But concentration of *supply* is low in *many* cases with a resulting imbalance in bargaining power in the supply chain between *farmers* and *dairies*. This imbalance can lead to unfair commercial practices; in particular, farmers do not know what price they will receive for their milk when delivering because the price is often fixed much later by dairies on a basis of the obtained added value, which, for non-cooperatives, is often outside of the farmer's control.

Amendment

(5) The HLG *also* noted that the dairy producing and processing sectors are highly differentiated between Member States. There is *thus* a highly variable situation between operators and types of operators within individual Member States. But concentration of *demand* is *high* in *most* cases *while that of supply is low*, with a resulting imbalance in bargaining power in the supply chain between *producers* and *processors*. This imbalance can lead to unfair commercial practices; in particular, farmers often do not know what price they will receive for their milk upon delivery as the price is often fixed much later by dairies on a basis of the obtained added value, which, for non-cooperatives, is often outside of the farmer's control.

Or. fr

Amendment 62

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Csaba Sándor Tabajdi

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) The HLG noted that the dairy producing and processing sectors are highly differentiated between Member States. There is also a highly variable situation between operators and types of operators within individual Member States. But concentration of supply is low in many cases with a resulting imbalance in bargaining power in the supply chain between farmers and dairies. This imbalance can lead to unfair commercial practices; in particular, farmers do not know what price they will receive for their milk when delivering because the price is often fixed much later by dairies on a basis of the obtained added value, which, *for non-cooperatives*, is *often* outside of *the farmer's* control.

Amendment

(5) The HLG noted that the dairy producing and processing sectors are highly differentiated between Member States. There is also a highly variable situation between operators and types of operators within individual Member States. But concentration of supply is low in many cases with a resulting imbalance in bargaining power in the supply chain between farmers and dairies. This imbalance can lead to unfair commercial practices; in particular, farmers often do not know what price they will receive for their milk upon delivery as the price is often fixed much later by dairies on a basis of the obtained added value, which is *generally* outside *farmers'* control, *often whether or not they belong to a cooperative*.

Or. fr

Justification

It is a mistake to assume that in cooperatives milk producers' interests are systematically respected.

Amendment 63

Georgios Papastamkos

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) The HLG noted that the dairy

Amendment

(5) The HLG noted that the dairy

producing and processing sectors are highly differentiated between Member States. There is also a highly variable situation between operators and types of operators within individual Member States. But concentration of supply is low in many cases with a resulting imbalance in bargaining power in the supply chain between farmers and dairies. This imbalance can lead to unfair commercial practices; in particular, farmers do not know what price they will receive for their milk when delivering because the price is often fixed much later by dairies on a basis of the obtained added value, which, for non-cooperatives, is often outside of the farmer's control.

producing and processing sectors are highly differentiated between Member States. There is also a highly variable situation between operators and types of operators within individual Member States. But concentration of supply is low in many cases with a resulting imbalance in bargaining power in the supply chain between farmers and dairies. This imbalance can lead to unfair commercial practices; in particular, farmers do not know what price they will receive for their milk when delivering because the price is often fixed much later by dairies on a basis of the obtained added value, which, for non-cooperatives, is often outside of the farmer's control. ***Points out that the above-mentioned imbalance and the uneven distribution of added value require measures covering all the links of the supply chain, including distribution.***

Or. el

Justification

This proposal for a Regulation focuses on the imbalance between producers and processors. Further proposals are needed, also covering the other links in the supply chain so as to provide a comprehensive approach to the problems identified in the dairy sector.

Amendment 64
Michel Dantin

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) For the smooth operation of the whole supply chain there is also a need to consider relations between the processors and distributors, for whom there are similar imbalances because of the extreme concentration of the distribution sector. A system contractualising the whole supply

chain, drawing on the provisions of the present regulation, should therefore be set up.

Or. fr

Amendment 65

Elisabeth Köstinger, Peter Jahr, Herbert Dorfmann

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) There is a problem of price transmission along the chain, *in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in the chain has become increasingly concentrated in the downstream sectors, notably with dairies.*

Amendment

(6) *In its resolution of 7 September 2010 on ‘fair revenues for farmers: a better functioning food supply chain in Europe’, the European Parliament noted that producers’ costs were continuing to rise but that the prices paid by consumers did not adequately reflect the situation. There is a problem of price transmission along the chain: in most countries, the food-processing industry and the food-marketing chain enjoy the largest margins. The power of retail trading undertakings is also increasingly cause for concern. Balanced conditions and a just distribution of added value along the food supply chain would benefit both farmers and consumers. A stable, secure and profitable production sector should be recognised as a decisive factor in the food supply chain.*

Or. de

Amendment 66

María do Céu Patrão Neves

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) There is a problem of price transmission along the chain, ***in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year.*** Value-added in ***the chain*** has become increasingly concentrated in the downstream sectors, notably with ***dairies***.

Amendment

(6) There is a problem of price transmission along the chain, ***since*** value-added has become increasingly concentrated in the downstream sectors, notably with ***large-scale distribution, which, in the current context of the sector's market orientation, must inevitably be involved.***

Or. pt

Amendment 67
Michel Dantin

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not ***react*** to lower demand. ***Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year.*** Value-added in the chain has become increasingly concentrated in the downstream sectors, ***notably with dairies.***

Amendment

(6) There is ***thus*** a problem of price transmission along the chain, in particular as regards farm-gate prices, ***the level of which generally does not take account of production costs and their continued increase.*** Conversely, during 2009, the supply of milk did not ***naturally adjust*** to lower demand, ***thus highlighting the need for instruments to regulate the dairy sector.*** Value-added in the chain has become increasingly concentrated in the downstream sectors.

Or. fr

Amendment 68
Krisztina Morvai

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in the chain has become *increasingly* concentrated in the downstream sectors, *notably with dairies*.

Amendment

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year *and deposited most of the surplus in the less-developed, more volatile markets of the new Member States, the situation of whose producers thereby became increasingly difficult*. Value-added in the chain has become *almost exclusively* concentrated in the *retail chains, and to a lesser extent in the downstream sectors, whilst producers have been unable to cover their production costs from returns from sales, thereby rendering them helpless*.

Or. hu

Amendment 69
Luís Paulo Alves

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in

Amendment

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in

the chain has become increasingly concentrated in the downstream sectors, notably *with* dairies.

the chain has become increasingly concentrated in the downstream sectors, ***and it is therefore essential to continue with an approach that takes account of all the contractual relations established in those sectors, notably between producers and dairies, between dairies and distributors and between distributors and consumers.***

Or. pt

Amendment 70
Luis Manuel Capoulas Santos

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in the chain has become increasingly concentrated in the downstream sectors, notably with dairies.

Amendment

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in the chain has become increasingly concentrated in the downstream sectors, notably with dairies ***and retailers, with a final consumer price that is not reflected in the price paid to producers.***

Or. pt

Amendment 71
Elisabeth Jeggle

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in the chain has become increasingly concentrated in the downstream sectors, notably with dairies.

Amendment

(6) There is a problem of price transmission along the chain, in particular as regards farm-gate prices. Conversely, during 2009 the supply of milk did not react to lower demand. Indeed, in some large producer Member States, in reaction to lower prices, farmers produced more than in the previous year. Value-added in the chain has become increasingly concentrated in the downstream sectors, notably with dairies. ***In relation to them, the position of primary producers within the chain as a whole remains weak.***

Or. de

Amendment 72

Elisabeth Köstinger, Albert Deß, Peter Jahr, Herbert Dorfmann

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) A comprehensive sectoral investigation of the whole food supply chain should be undertaken to identify any abuses of the power of the demand side in the sector; marketing at below purchase price should be banned throughout the Community.

Or. de

Amendment 73

Martin Häusling, Alyn Smith

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) There has recently been discussion at EU level regarding the functioning of the food supply chain. There is also growing concern regarding the power of dairies, while the position of milk-producers is very weak. Particularly because of the power of the dairies, added value is not evenly distributed along the chain as a whole. Furthermore, there is concern about the power of large retail undertakings and the large margins which they often enjoy.

Or. de

Amendment 74
Anne E. Jensen

Proposal for a regulation
Recital 7

Text proposed by the Commission

Amendment

(7) For dairies, the volume which will be delivered during the season is not always well planned. Even for dairy co-operatives (owned by farmers which possess processing facilities, by which 58% of EU raw milk is processed) there is a potential lack of adaptation of supply to demand: farmers are obliged to deliver all their milk to their co-operative and the co-operative is obliged to accept all the milk.

deleted

Or. en

Justification

The text is incorrect as not all farmers are obliged to deliver all their milk to their co-operative, some farmers have the option to sell a certain percentage of their milk to other processors. Furthermore, the dairy package is mainly about increasing the bargaining position of farmers and thereby strengthening their possibility to earn a stable and decent

income. Adapting supply to demand is not the issue.

Amendment 75

Martin Häusling, Alyn Smith

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) For dairies, the volume which will be delivered during the season is not always well planned. Even for dairy co-operatives **(owned by farmers which possess processing facilities**, by which 58% of EU raw milk is processed) there is a potential lack of adaptation of supply to demand: farmers are obliged to deliver all their milk **to their co-operative and the co-operative is obliged to accept all the milk.**

Amendment

(7) For dairies, the volume which will be delivered during the season is not always well planned. Even for dairy co-operatives, by which 58% of EU raw milk is processed, there is a potential lack of adaptation of supply to demand. ***As a large proportion of dairy cooperatives, for various reasons, are no longer under the direct influence of farmers, the dairies often have an interest in securing cheap quantities rather than limiting quantities. The latter could, in consultation with producers, facilitate higher prices, but does not happen because the dairies do not see the need for it. Because of their membership of a cooperative and the lack of alternatives, farmers are obliged to deliver all their milk at a low price over which they have no genuine influence; they seek to compensate for the low price by increasing production.***

Or. de

Amendment 76

María do Céu Patrão Neves

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) For dairies, the volume which will be delivered during the season is not always

Amendment

(7) For dairies, the volume which will be delivered during the season is not always

well planned. Even for dairy co-operatives (owned by farmers which possess processing facilities, by which 58% of EU raw milk is processed) there is a potential lack of adaptation of supply to demand: farmers are obliged to deliver all their milk to their co-operative and the co-operative is obliged to accept all the milk.

well planned. Even for dairy co-operatives (owned by farmers which possess processing facilities, by which 58% of EU raw milk is processed, ***although the percentage varies considerably from one Member State to another***) there is a potential lack of adaptation of supply to demand: farmers are obliged to deliver all their milk to their co-operative and the co-operative is obliged to accept all the milk. ***In this context the Commission should conduct a reassessment of the European cooperative sector and issue specific guidelines with the aim of ensuring that it is adapted to the current reform.***

Or. pt

Amendment 77
Britta Reimers, Liam Aylward

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) For dairies, the volume which will be delivered during the season is not always well planned. Even for dairy co-operatives (owned by farmers which possess processing facilities, by which 58% of EU raw milk is processed) there is a potential lack of adaptation of supply to demand: farmers are obliged to deliver all their milk to their co-operative and the co-operative is obliged to accept all the milk.

Amendment

(7) For dairies, the volume which will be delivered during the season is not always well planned. Even for dairy co-operatives (owned by farmers which possess processing facilities, by which 58% of EU raw milk is processed) there is a potential lack of adaptation of supply to demand: farmers are obliged to deliver all their milk to their co-operative and the co-operative is obliged to accept all the milk. ***Cooperatives are economic organisations in which milk producers participate on a voluntary basis and which they manage themselves. The existing co-operative structure will be respected in the proposals.***

Or. en

Amendment 78
José Bové

Proposal for a regulation
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) A number of comments by the HLG concern the difficulties of adjusting the milk supply to demand, with the extreme difficulties they have caused producers. This shows that, alongside the measures laid down in the present Regulation, the Commission should also propose maintaining a system for controlled regulation of the volume of milk produced, for which public management by the Community institutions and the Member States remains necessary;

Or. fr

Amendment 79
Anne E. Jensen

Proposal for a regulation
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Co-operatives constitute the predominant type of business owned and controlled by farmers in the EU: currently, 58 % of the raw milk in the EU is processed by dairy co-operatives. Cooperatives are economic organisations in which milk producers participate on a voluntary basis and which they manage themselves. The existing co-operative structures will be respected in the proposals.

Or. en

Justification

This paragraph underpins more strongly the intention of the Commission proposal to respect existing co-operative structures.

Amendment 80

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Wojciech Michał Olejniczak, Csaba Sándor Tabajdi

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The use of formalised, written contracts ***even containing basic elements made in advance of delivery is not widespread. However, they could increase awareness and*** reinforce the responsibility of the operators in the dairy chain to better take into account the signals of the market, improve price transmission and adapt supply to demand, ***as well as help avoid certain unfair commercial practices.***

Amendment

(8) ***While*** the use of formalised, written contracts ***may somewhat help to*** reinforce the responsibility of the operators in the dairy chain ***and increase awareness of the need*** to better take into account the signals of the market, improve price transmission and adapt supply to demand, ***it will not make it possible to face any further serious market crises that could once again affect the whole European dairy industry and especially producers, who are heavily in debt partly as a result of investing in modernisation.***

Or. fr

Amendment 81

Krisztina Morvai

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The use of formalised, written contracts even containing basic elements made in advance of delivery is not widespread. However, they could increase awareness and reinforce the responsibility of the operators in the dairy chain to better take

Amendment

(8) The use of formalised, written contracts even containing basic elements made in advance of delivery is not widespread ***in a number of Member States.*** However, they could increase awareness and reinforce the responsibility of the operators in the dairy

into account the signals of the market, improve price transmission and adapt supply to demand, as well as help avoid certain unfair commercial practices.

chain to better take into account the signals of the market, improve price transmission and adapt supply to demand, as well as help avoid certain unfair commercial practices. ***In a number of new Member States, in addition to the existing, above-board agreements between processors and producers, retail chains take advantage of their dominant position to demand refunds from suppliers/processors which, in the form of slotting allowances and advertising costs, for example, can amount to 25%; the greater part of these costs is then passed to the most vulnerable players, the producers.***

Or. hu

Amendment 82
María do Céu Patrão Neves

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The use of formalised, written contracts even containing basic elements made in advance of delivery is not widespread. However, they could increase awareness and reinforce the responsibility of the operators in the dairy chain to better take into account the signals of the market, improve price transmission and adapt supply to demand, as well as help avoid certain unfair commercial practices.

Amendment

(8) The use of formalised, written contracts even containing basic elements made in advance of delivery is not widespread. However, they could increase awareness and reinforce the responsibility of the operators in the dairy chain to better take into account the signals of the market, improve price transmission and adapt supply to demand, as well as help avoid certain unfair commercial practices, ***if they were extended to the whole of the chain.***

Or. pt

Amendment 83

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Maria do Céu Patrão Neves, Wojciech Michał Olejniczak, Csaba Sándor Tabajdi

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Without collective control of European production the contractual system advocated by the HLG will not, even if it is backed up by such other measures as strengthening producers' bargaining power, the role of producer organisations and inter-professional/interbranch organisations, succeed in securing fair and stable milk prices for producers and consumers. We need to produce less milk while preserving the largest possible number of farms. Having numerous farms in Europe helps stabilise rural development and boosts employment.

Or. fr

Justification

More than anything else, producers need a strong European public policy to regulate production and the market; contractualisation is demanded mainly by the industry, which is seeking to safeguard its earnings and enable it to continue to speculate on the futures markets.

Amendment 84

Albert Deß, Elisabeth Jeggle, Peter Jahr

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) In order to strengthen producers, the payment deadline for all kinds of milk products (cheese, fresh products, butter,

preserved milk products, milk powder, whey powder, etc.) should not in any instance exceed the use-by date of the product marketed and, in the case of more durable products, should not exceed 30 days. It should not be possible to waive this rule contractually, and it should be observed consistently at all stages in the trading chain.

Or. de

Amendment 85

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation

Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) It would be desirable for dairies to undertake not to process milk from third countries.

Or. fr

Amendment 86

Albert Deß, Elisabeth Jeggle, Peter Jahr

Proposal for a regulation

Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) In order to support producers, supply contracts for all kinds of milk products (cheese, fresh products, butter, preserved milk products, milk powder, whey powder, etc.) between dairies and the food trade or intermediaries or industrial processors which are concluded for longer than six months should include a provision limiting fixed prices to six months. Long-

term supply contracts should lay down minimum quantities of which delivery is to be taken and maximum quantities to be supplied, binding on both parties.

Or. de

Amendment 87
Albert Deß, Elisabeth Jeggle, Peter Jahr

Proposal for a regulation
Recital 8 c (new)

Text proposed by the Commission

Amendment

(8c) In order to support producers effectively it is essential that, in sales contracts relating to all kinds of milk products (cheese, fresh products, butter, preserved milk products, milk powder, whey powder, etc.), the real net/net price should be clearly established for the product concerned per kg, taking account of all price adjustments such as rebates, discounts, advertising cost supplements, brokerage, del credere commissions, loyalty premiums, volume discounts, target quantity premiums, shop opening premiums, analysis cost and labour cost supplements, freight cost supplements, commissioning cost supplements, flat-rate contractual penalties for any shortcomings in performance without proof of real costs, etc., and that this obligation cannot be waived by individual contract. The ultimate aim is to make settlements on a net/net basis subject to conditions clear to both parties.

Or. de

Amendment 88

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Wojciech Michał Olejniczak, Csaba Sándor Tabajdi

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) ***In the absence of EU legislation on such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. Given the diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States. However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level.*** Since some dairy co-operatives may have rules with similar effect in their *statutes*, ***in the interests of simplicity*** they should ***then*** be exempted from a requirement for contracts. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Amendment

(9) ***There needs to be*** EU legislation on such contracts ***to ensure that they can be made compulsory in each Member State in order to avoid distortion of competition between Member States or regions. Even if*** some dairy co-operatives may have rules with similar effect in their *statutes*, they should ***not*** be exempted from a requirement for contracts. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Or. fr

Justification

It is a mistake to assume that in cooperatives milk producers' interests are systematically respected.

We should distinguish between cooperatives that are 100 % owned by the producers (they are rare) and joint cooperatives linked with an industrial group.

Amendment 89
Maria do Céu Patrão Neves

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) In the absence of EU legislation on such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. ***Given the diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States.*** However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level. Since some dairy co-operatives may have rules with similar effect in their *statutes*, in the interests of simplicity they should then be exempted from a requirement for contracts. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Amendment

(9) In the absence of EU legislation on such contracts, Member States may ***currently***, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. However, ***given that contractual relations form the basis of the Commission's proposal for the future regulation of the milk sector, the same principle, with flexible implementing rules, should be followed by all the Member States, since a voluntary scheme would risk leaving the current situation unchanged. Given the imminent dismantling of quotas and without an effective alternative mechanism, the end result would be to leave the sector unregulated.*** To ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should ***therefore*** be laid down at EU level. Since some dairy co-operatives may have rules with similar effect in their *statutes*, ***with requirements to be specified***, in the interests of simplicity they should then be exempted from a requirement for contracts. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Or. pt

Amendment 90
Ulrike Rodust

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) In the absence of EU legislation on such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. Given the diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States. However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level. *Since some dairy co-operatives may have rules with similar effect in their statutes, in the interests of simplicity they should then be exempted from a requirement for contracts.* In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Amendment

(9) In the absence of EU legislation on such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. Given the diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States. However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Or. de

Amendment 91
Michel Dantin

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) In the absence of EU legislation on

Amendment

(9) In the absence of EU legislation on

such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. Given the diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States. However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level. Since some dairy co-operatives may have rules with similar effect in their *statutes*, in the interests of simplicity they should then be exempted from a requirement for contracts. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular the proper functioning of the internal market and the common market organisation. Given the diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States. However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level. Since some dairy co-operatives may have rules with similar effect in their *statutes*, in the interests of simplicity they should then be exempted from a requirement for contracts, ***or have the option of including them in the rules in their statutes***. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Or. fr

Amendment 92
Ulrike Rodust

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) In the absence of EU legislation on such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. Given the

Amendment

(9) In the absence of EU legislation on such contracts, Member States may, within their own contract law systems, make the use of such contracts compulsory provided that in doing so EU law is respected and in particular that the proper functioning of the internal market and the common market organisation is respected. Given the

diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States. However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level. Since some dairy co-operatives may have rules with similar effect in their *statutes*, in the interests of simplicity they should then be exempted from a requirement for contracts. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

diversity of situations across the EU in this context, in the interests of subsidiarity, such a decision should remain with Member States. However, to ensure appropriate minimum standards for such contracts and good functioning of the internal market and the common market organisation, some basic conditions for the use of such contracts should be laid down at EU level. ***With a view to uniform standards applicable throughout the EU, the Commission should, however, submit appropriate proposals on the drawing-up of standard contracts.*** Since some dairy co-operatives may have rules with similar effect in their *statutes*, in the interests of simplicity they should then be exempted from a requirement for contracts. In order to ensure that any such system is effective where intermediate parties collect milk from farmers to deliver to processors, it should apply equally in such a case.

Or. de

Amendment 93
Maria do Céu Patrão Neves

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) The EU, in accordance with its motto 'unity in diversity', should seek to develop common policies that take into account and do not compromise the specific characteristics inherent to the various Member States. Amending the regulation should therefore take account of the diversity of the milk sector in the various Member States and should not lay down conditions for the industry that would eliminate milk production in Member States and regions where it traditionally guarantees an income for rural

communities, thereby helping to populate and revitalise rural areas in disadvantaged regions such as mountain regions and the outermost regions.

Or. pt

Amendment 94
Maria do Céu Patrão Neves

Proposal for a regulation
Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) In many Member States the milk sector is essentially organised in cooperatives which function as the sole collection centre, above all in isolated and/or remote regions, in which the majority of partners have a small degree of representativeness. For some of the Member States, a proposal for a regulation founded on first-level contractual relations, put forward as voluntary, which leaves cooperatives on one side, does not make any contribution that would have a real and effective impact.

Or. pt

Amendment 95
Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Paolo De Castro, Stéphane Le Foll, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation
Recital 11

Text proposed by the Commission

Amendment

(11) In order to *ensure the rational development of production* and so to ensure a fair standard of living for dairy

(11) In order to *control the volume produced* and so ensure a fair standard of living for dairy farmers, their bargaining

farmers, their bargaining power vis-à-vis processors should be strengthened which should result in a fairer distribution of value-added along the supply chain. Therefore, in order to realise these objectives of the common agricultural policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price, jointly for some or all of its members' production with a dairy. In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

power vis-à-vis processors should be strengthened, which should result in a fairer distribution of value-added along the supply chain. Therefore, in order to realise these objectives of the common agricultural policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price, jointly for some or all of its members' production with a dairy. In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations. ***However, it is understood that existing producer organisations should be recognised de facto by the new legislation.***

Or. fr

Amendment 96
Krisztina Morvai

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In order to ensure the rational development of production and so to ensure a fair standard of living for dairy farmers, their bargaining power vis-à-vis processors should be strengthened which should result in a fairer distribution of value-added along the supply chain. Therefore, in order to realise these objectives of the common agricultural

Amendment

(11) In order to ensure the rational development of production and so to ensure a fair standard of living for dairy farmers, their bargaining power vis-à-vis processors should be strengthened which should result in a fairer distribution of value-added along the supply chain. ***The final-distributor retail chains must also be involved in transparent pricing and the***

policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price, jointly for some or all of its members' production with a dairy. In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

proportionate distribution of burden sharing. Therefore, in order to realise these objectives of the common agricultural policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price, jointly for some or all of its members' production with a dairy. ***However, this is only possible if, when negotiating with retail chains, dairies have similar opportunities to recoup their costs and make a fair profit, thus enabling them to set a price which will cover the producers' costs and guarantee them an honest livelihood.*** In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

Or. hu

Amendment 97
Maria do Céu Patrão Neves

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In order to ensure the rational development of production and so to ensure a fair standard of living for dairy farmers, their bargaining power vis-à-vis processors should be strengthened which should result in a fairer distribution of value-added along the supply chain.

Amendment

(11) In order to ensure the rational development of production and so to ensure a fair standard of living for dairy farmers, their bargaining power vis-à-vis processors ***and the whole of the chain*** should be strengthened, which should result in a fairer distribution of value-added

Therefore, in order to realise these objectives of the common agricultural policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price, jointly for some or all of its members' production with a dairy. In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

along the supply chain. Therefore, in order to realise these objectives of the common agricultural policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price, jointly for some or all of its members' production with a dairy. In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

Or. pt

Amendment 98
Michel Dantin

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) In order to ensure the rational development of production and so to ensure a fair standard of living for dairy farmers, their bargaining power vis-à-vis processors should be strengthened which should result in a fairer distribution of value-added along the supply chain. Therefore, in order to realise these objectives of the common agricultural policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price, jointly for some or all of its members'

Amendment

(11) In order to ensure the rational development of production and so to ensure a fair standard of living for dairy farmers, their bargaining power vis-à-vis processors should be strengthened which should result in a fairer distribution of value-added along the supply chain. Therefore, in order to realise these objectives of the common agricultural policy, a provision should be adopted pursuant to Articles 42 and 43(2) TFEU to allow producer organisations constituted by dairy farmers or their associations to negotiate contract terms, including price **or price-fixing conditions**, jointly for some or

production with a dairy. In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

all of its members' production with a dairy. In order to maintain effective competition on the dairy market, this possibility should be subject to appropriate quantitative limits. Such producer organisations should therefore also be eligible for recognition under Article 122 of Regulation (EC) No 1234/2007. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

Or. fr

Amendment 99

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) To stabilise the milk market as much as possible raw milk producers should be encouraged to invest in producer organisations, so as to greatly reduce the risk of losing the large number of independent dairy farms that would not be sufficiently attractive to private buyers, mainly because their production volume is too low.

Or. fr

Justification

The fewer the producers in producer organisations, the harder it will be to stabilise the market.

Amendment 100
Esther de Lange, Mairead McGuinness

Proposal for a regulation
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) It is necessary to facilitate a soft landing for the Union milk quotas system in all Member States of the Union as soon as possible since a hard landing in some Member States could cause price fluctuations in international markets and harm stability and predictability of the market which is so necessary for European dairy farmers.

Or. en

Amendment 101
Liam Aylward

Proposal for a regulation
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) In order to provide an effective early warning of likely market imbalance in the Union milk sector along with greater market transparency, and to facilitate a smooth transition from a quota-regulated supply situation, a Market Monitoring Agency for the Union Milk Sector should be established to collect and disseminate data and information on production and supply, exports and imports, production costs, milk prices at farm level, consumer prices and margins, at all levels of the milk and dairy product supply chain of the Union and Member States. In order to function effectively, the agency should be independent in its operations and should report to the Milk Advisory Group and the Management Committee for the Common

Organisation of Agricultural Markets. In order to facilitate a smooth transition to post-quota conditions, the Agency should be established prior to the ending of quotas

Or. en

Amendment 102
Maria do Céu Patrão Neves

Proposal for a regulation
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) The Commission should create a price formation observatory to prevent the policy of dumping, among other objectives.

Or. pt

Amendment 103
Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation
Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) It would be desirable for the Commission to provide for the establishment of a European Public Agency for the Observation of Prices and Margins, whose duties would include calculating the full costs of milk production in Europe so as to make it mandatory to take into account the average production costs of 1kg of milk when setting the price of raw milk in contracts, and in order to prevent price dumping. This calculation would have to

take the following into account: cost of labour, energy, inputs, veterinary costs, certification costs, investments and costs of compliance with environmental standards. Once signed, contracts would have to be registered with the European Public Agency for the Observation of Prices and Margins, in the interest of transparency of information transfer particularly on prices and volumes, but also in the interest of monitoring.

Or. fr

Amendment 104

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

**Proposal for a regulation
Recital 11 c (new)**

Text proposed by the Commission

Amendment

(11c) It should be recalled that the 2001 Göteborg summit assigned to European agriculture the objective of sustainability, implying that the effectiveness of agriculture is not confined to its economic competitiveness but also takes into account its environmental, territorial and social effectiveness as well as the objective of equity.

Or. fr

Amendment 105

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

**Proposal for a regulation
Recital 12**

Text proposed by the Commission

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. **These** organisations can play useful roles in allowing dialogue between actors in the supply chain, and in promoting best practice and market transparency. Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law whilst ensuring that they do not distort competition or the internal market or affect the good functioning of the common market organisation.

Amendment

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. **While these** organisations can play useful roles in allowing dialogue between actors in the supply chain, and in promoting best practice and market transparency, **inter-branch organisations are not market stabilisation agents. Indeed, experience from the fruit and vegetable sector shows that prices continue to fluctuate considerably owing to the meagre influence that producers are able to bring to bear within such structures. Only when they come together in an organisation of their own and are able to manage milk volumes upstream of processing is it possible for producers to improve their position within the dairy chain and ensure they receive a fair income.** Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law, whilst ensuring that they do not distort competition or the internal market or affect the good functioning of the common market organisation.

Or. fr

Amendment 106

Maria do Céu Patrão Neves

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. These organisations can play useful roles in allowing dialogue between actors in the supply chain, and in

Amendment

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. **Provided that they bring together representatives of all the parties concerned,** these organisations can play

promoting best practice and market transparency. Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law whilst ensuring that they do not distort competition or the internal market or affect the good functioning of the common market organisation.

useful roles in allowing dialogue between actors in the supply chain, ***in functioning as a privileged forum for sectoral consultation*** and in promoting best practice and market transparency. Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law whilst ensuring that they do not distort competition or the internal market or affect the good functioning of the common market organisation.

Or. pt

Amendment 107
Sylvie Goulard

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. These organisations can play useful roles in allowing dialogue between actors in the supply chain, and in promoting best practice and market transparency. Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law ***whilst ensuring*** that they do not distort competition or the internal market or affect the good functioning of the common market organisation.

Amendment

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. These organisations can play useful roles in allowing dialogue between actors in the supply chain, and in promoting best practice and market transparency. Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law ***and should be used, for example, to highlight the added value of European quality production – particularly grassland production – for the food chain; at the same time, care should be taken*** that they do not distort competition or the internal market or affect the good functioning of the common market organisation.

Or. fr

Amendment 108

Britta Reimers, Anne E. Jensen, George Lyon

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. These organisations can play useful roles in allowing dialogue between actors in the supply chain, and in promoting best practice and market transparency. Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law whilst ensuring that they do not distort competition or the internal market **or affect the good** functioning of the common market **organisation**.

Amendment

(12) Rules have been introduced at EU level for interbranch organisations in some sectors. These organisations can play useful roles in allowing dialogue between actors in the supply chain, and in promoting best practice and market transparency. Such rules should equally be applied in the milk and milk products sector, along with the provisions clarifying the position of such organisations under competition law whilst ensuring that they do not distort competition or the internal market **and do not lead to a renationalisation of the Common Agricultural policy by adversely affecting the proper** functioning of the common market.

Or. en

Amendment 109

Krisztina Morvai

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) In order to follow developments in the market, the Commission needs timely information on volumes of raw milk delivered. Article 192 of Regulation (EC) No 1234/2007 provides a basis for the exchange of information between the Member States and the Commission. However, provision should be made to

Amendment

(13) In order to follow developments in the market, the Commission needs timely information on volumes of raw milk delivered **and on the volumes distributed by the retail chains, to ensure that the information system is complete. Only in this way can the VAT fraud observable in distribution between Member States be**

ensure that processors deliver such information to the Member States on a regular basis. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the scope, content, format and timing of such declarations.

avoided. Article 192 of Regulation (EC) No 1234/2007 provides a basis for the exchange of information between the Member States and the Commission. However, provision should be made to ensure that processors deliver such information to the Member States on a regular basis. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the conditions for approval of associations of producer organisations.

Or. hu

Amendment 110

Marc Tarabella, Stéphane Le Foll, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) In order to follow developments in the market, the Commission needs timely information on volumes of raw milk delivered. Article 192 of Regulation (EC) No 1234/2007 provides a basis for the exchange of information between the Member States and the Commission. However, provision should be made to ensure that processors deliver such information to the Member States on a regular basis. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the scope, content, format and timing of such declarations.

Amendment

(13) In order to follow developments in the market, the Commission needs ***to be aware, at any given time, of what is happening on milk market, and to that end needs*** timely information on volumes of raw milk delivered. Article 192 of Regulation (EC) No 1234/2007 provides a basis for the exchange of information between the Member States and the Commission. However, provision should be made to ensure that processors deliver such information to the Member States on a regular basis. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the scope, content, format and timing of such declarations.

Or. fr

Amendment 111

Michel Dantin

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) In order to follow developments in the market, the Commission needs timely information on volumes of raw milk delivered. Article 192 of Regulation (EC) No 1234/2007 provides a basis for the exchange of information between the Member States and the Commission. However, provision should be made to ensure that processors deliver such information to the Member States on a regular basis. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the scope, content, format and timing of such declarations.

Amendment

(13) In order to follow developments in the market, the Commission needs timely information on volumes of raw milk delivered ***in order to communicate this information, while respecting the commercial confidentiality of each undertaking***. Article 192 of Regulation (EC) No 1234/2007 provides a basis for the exchange of information between the Member States and the Commission. However, provision should be made to ensure that processors deliver such information to the Member States on a regular basis. The Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of the scope, content, format and timing of such declarations.

Or. fr

Amendment 112

Esther de Lange, Mairead McGuinness

Proposal for a regulation

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Competition policies need to be coordinated at Union level in order to ensure uniform interpretation and implementation in all Member States, since the “relevant market” for the dairy sector is in many respects no longer limited to the national borders of Member States, but is increasingly international.

Justification

The dairy market is an international market, on which fresh and processed dairy products are traded increasingly across borders and between the EU and third countries, and where retailers source fresh dairy products from within a 500 km radius and processed dairy products from Europe and even world-wide.

Amendment 113
Michel Dantin

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration (both before and after the abolition of milk quotas) to allow them to have full effect. ***However, given their far-reaching nature, they should nevertheless be temporary in nature, and*** be subject to review to see how they have operated and whether they should ***continue to apply***. ***This*** should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and 31 December ***2018***.

Amendment

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration (both before and after the abolition of milk quotas, ***if this is ultimately confirmed***) to allow them to have full effect. ***To guarantee a stable legal framework for the dairy sector, these measures should form part of a long-term perspective. Nevertheless they should*** be subject to ***subsequent*** review to see how they have operated and whether they should ***be amended***. ***Finally, this matter*** should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and 31 December ***2017***.

Amendment 114

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration (both before and after the abolition of milk quotas) to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to review to see how they have operated and whether they should continue to apply. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and **31 December 2018**.

Amendment

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration (both before and after the abolition of milk quotas) to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to review to see how they have operated and whether they should continue to apply. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and **30 June 2016**.

Or. fr

Justification

The establishment of a new system calls for more rapid monitoring than the Commission initially provided for.

Amendment 115

Luis Paulo Alves

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply

Amendment

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply

chain. They should therefore be applied for a sufficiently long duration (***both before and after the abolition of milk quotas***) to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to review to see how they have operated and whether they should continue to apply. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and 31 December 2018.

chain. They should therefore be applied for a sufficiently long duration to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to review to see how they have operated and whether they should continue to apply. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and 31 December 2018.

Or. pt

Amendment 116
María do Céu Patrão Neves

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration (***both before and after the abolition of milk quotas***) to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to review to see how they have operated ***and*** whether they should continue to apply. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and 31 December 2018.

Amendment

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to ***regular*** review to see how they have operated, whether they should continue to apply ***or whether they should be reformulated, particularly as regards giving further consideration to maintaining quotas***. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by

Amendment 117
Luis Manuel Capoulas Santos

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration (both before and after the abolition of milk quotas) to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to review to see how they have operated and whether they should continue to apply. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and 31 December 2018.

Amendment

(14) The measures set out in this Regulation, are justified in the current economic circumstances of the dairy market and the structure of the supply chain. They should therefore be applied for a sufficiently long duration (both before and after the abolition of milk quotas) to allow them to have full effect. However, given their far-reaching nature, they should nevertheless be temporary in nature, and be subject to review to see how they have operated and whether they should continue to apply. This should be dealt with in Commission reports on the development of the milk market, and covering in particular potential incentives to encourage farmers to enter into joint production agreements, to be submitted by 30 June 2014 and 31 December 2018, ***without prejudice to an assessment in parallel with the report to be submitted by the Commission by 31 December 2012 on the impact of the gradual increase in milk quotas and accompanied, where necessary, by suitable proposals, in particular as regards effective mechanisms to control production.***

Amendment 118
Michel Dantin

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) While the Commission's report of 8 December 2010 'Evolution of the market situation and the consequent conditions for smoothly phasing out the milk quota system' predicts a 'soft landing' for Europe's dairy sector, it has emerged that the recognition of inter-branch organisations, and the creation of contractual relations between producers and first purchasers of raw milk, will not be enough on their own. In order to ensure a smooth transition during the period up to 2015, when the milk quota system may expire in all Member States, it is imperative that the Commission propose additional measures.

Or. fr

Amendment 119
Martin Häusling, Alyn Smith

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) A monitoring centre should be established. It should at regular intervals record data on demand and supply and full costs typical of regions and undertakings and indicate objectives of the EU's milk policy with representatives of all interest groups in the dairy industry, including consumers, as well as pointing to any changes which need to be made to the legal situation.

Amendment 120
Esther de Lange, Mairead McGuinness

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) While the Commission's report of 8 December 2010 'Evolution of the market situation and the consequent conditions for smoothly phasing out the milk quota system' predicts a "soft landing" for Europe's dairy sector, it has emerged that it may not be possible to guarantee this outcome in all Member States. In order to ensure a level playing field and to prevent inhibiting necessary restructuring in the sector, the Commission should investigate what additional measures are required to secure a smooth transition to the end of the milk quota system in 2015 in all Member States, for example, by gradually reducing the super levy. It may be noted, in this regard, that, currently, the Union as a whole is approximately 7 % under quota. Proposals of the European Commission in this regard should be made before the end of 2011.

Or. en

Justification

Stability and predictability are important for dairy farmers. A hard landing of the EU milk quotas system in some member states may cause price fluctuations in international markets and impact on European dairy farmers. The soft landing in all of the EU member states should therefore be facilitated as soon as possible. Lowering the super levy would reduce the burden for farmers enormously and lower the quota prices.

Amendment 121

Elisabeth Köstinger, Peter Jahr, Albert Deß, Herbert Dorfmann

Proposal for regulation

Recital 14 a (new)

Draft legislative resolution

Amendment

(14a) With reference to the European Parliament resolution of 5 May 2010 on ‘agriculture in areas with natural handicaps: a special health check’, it is particularly important that, in future too, measures should be taken in certain areas where there are no alternatives to the burdensome forms of production and products established there (e.g. mountain regions, Nordic regions, grassland regions, etc.) to preserve milk production, in particular, in these areas even after the milk quota system has ceased to operate. Without a functioning milk sector, it will not be possible to preserve farmland in these areas. These measures include, inter alia, marketing measures and measures to protect geographical origin, traditional processing and recipes, traditional specialities and the quality specifications of milk products.

Or. de

Amendment 122

Luis Manuel Capoulas Santos

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) An appropriate assessment of the measures laid down in this Regulation, within the agreed time limits, should make it possible to reach a conclusion on their contribution towards achieving the stated objectives, namely improving price

transmission along the value chain without squeezing producer prices and guaranteeing management that balances supply and demand, and should be accompanied by proposals for complementary mechanisms to regulate the milk market in the light of the results.

Or. pt

Amendment 123
Luis Manuel Capoulas Santos

Proposal for a regulation
Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) In view of the problem relating to price formation along the value chain in the sector, the contractual approach of the measures proposed in this Regulation should be suitably extended to cover commercial relations between major distribution operators and their suppliers.

Or. pt

Amendment 124
Elisabeth Jeggle

Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(15) *The Commission should have* the power to adopt delegated acts in accordance with Article 290 *TFUE* in order to supplement or amend certain non-essential elements of measures set out in this Regulation. *The elements for which that power may be exercised should be defined, as well as the conditions to which*

(15) The power to adopt delegated acts in accordance with Article 290 *TFEU* ***should be delegated to the Commission*** in order to supplement or amend certain non-essential elements of measures set out in this Regulation. ***It is of particular importance that the Commission carry out appropriate consultations during its***

that delegation is to be subject.

preparatory work, including at expert level and with national experts. When preparing and drawing up delegated acts, the Commission should ensure simultaneous, timely and appropriate forwarding of relevant documents to the European Parliament and to the Council.

Or. de

Amendment 125
Martin Häusling, Alyn Smith

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In order to **guarantee a uniform application of measures set out in** this Regulation **in all Member States**, the Commission **should be empowered to adopt implementing acts in accordance with Article 291 TFUE**. Save where explicitly provided otherwise, **the Commission should adopt those implementing acts** in accordance with **the provisions of** Regulation (EU) No [xxxx/yyyy] of the European Parliament and the Council **on....**

Amendment

(16) In order to **ensure uniform conditions for the implementation of** this Regulation, **implementing powers should be conferred on** the Commission. **Those powers**, save where explicitly provided otherwise, **should be exercised** in accordance with Regulation (EU) No.../2011 of the European Parliament and of the Council of ... **laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers***. **It should be impossible to restrict legal acts of the Member States which are unambiguously designed to strengthen producers.**

* OJ L 55, 28.02.11, p. 13.

Or. de

Amendment 126
Esther de Lange

Proposal for a regulation
Article 1 – point 1 a (new)

Regulation (EC) 1234/2007
Article 78 – paragraph– subparagraph 2

Text proposed by the Commission

Amendment

(1a) In Article 78, paragraph 1, subparagraph 2 is replaced by the following:

"The levy shall be set, following the annual decrease of 25% towards the end of the quota system in 2015, per 100 kilograms of milk, at EUR 20,87."

Or. en

Justification

The soft landing in all Member States of the EU should be facilitated as soon as possible since a hard landing of the EU milk quotas system in some Member States may cause price fluctuations in international markets and harm the, for European dairy farmers, much needed stability and predictability of the market .

Amendment 127

Paolo De Castro, Michel Dantin, Salvatore Caronna, Sergio Paolo Francesco Silvestris, Herbert Dorfmann, Marc Tarabella, Lorenzo Fontana, Giovanni La Via

Proposal for a regulation
Article 1 – point 1 a (new)

Regulation (EC) 1234/2007
Article 113d a (new)

Text proposed by the Commission

Amendment

1a) The following Article 113da is inserted:

Article 113da

Rules seeking to improve and stabilise the operation of the common market in milk

products

1. In order to improve and stabilise the operation of the market in dairy products with a protected designation of origin or a protected geographical indication in accordance with Regulation (EC)

No 510/2006, producer Member States may lay down marketing rules to regulate supply, particularly by way of implementing decisions taken by the inter-branch organisations referred to in Article 123 or decisions taken by the groups of operators managing the PDOs or PGIs referred to in Regulation (EC) No 510/2006.

2. Such rules shall be proportionate to the objective pursued and:

(a) may only cover the regulation of supply and shall aim to bring the supply of the product in line with demand;

(b) shall not be made binding for more than a (renewable) period of five years of marketing;

(c) shall not relate to any transaction after the first marketing of the product concerned;

(d) shall not allow for price fixing, including where prices are set for guidance or recommendation;

(e) shall not render unavailable an excessive proportion of the product concerned that would otherwise be available;

(f) shall not have the effect of preventing an operator from starting production of the product concerned;

2. The rules referred to in paragraph 1 must be brought to the attention of operators by publication in extenso in an official publication of the Member State concerned.

3. The decisions and measures taken by the Member States in year n in

accordance with this article shall be notified to the Commission before 1 March of year n+1.

4. The Commission may ask a Member State to withdraw its decision if it finds that that decision excludes competition in a substantial part of the internal market, compromises the free movement of goods or contravenes the objectives of Article 39 of the TFEU.

Or. fr

Amendment 128

Marc Tarabella, Stéphane Le Foll, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation

Article 1 – point 1 a (new)

Regulation (EC) 1234/2007

Article 113d a (new)

Text proposed by the Commission

Amendment

1a) The following Article 113da is inserted:

Article 113da

Specific provisions applicable to quality dairy products

In order to improve and stabilise the operation of the market in dairy products with a protected designation of origin or a protected geographical indication in accordance with Regulation (EC) No 510/2006, and of the market in milk produced in mountainous and semi-mountainous areas, the Member State in question may lay down rules to bring volumes in line with demand, particularly by way of decisions taken by inter-branch organisations.

Such rules shall be proportionate to the objective pursued and:

- (a) may only cover the regulation of supply and shall aim to bring the supply of the product in line with demand;*
- (b) may not be made binding for more than five years of marketing;*
- (c) shall not cause any damage to other producers in the Member State concerned or in the Community;*
- (d) shall not relate to any transaction after the first marketing of the product concerned;*
- (e) shall not allow for price fixing, including where prices are set for guidance or recommendation;*
- (f) shall not render unavailable an excessive proportion of the product concerned that would otherwise be available;*
- (g) shall not have the effect of preventing an operator from starting production of the product concerned;*

Or. fr

Amendment 129
Liam Aylward

Proposal for a regulation
Article 1 a (new)
Regulation (EC) 1234/2007
Article 113f a (new)

Text proposed by the Commission

Amendment

The following Article 133f a is inserted :

Article 113f a

Market Monitoring Agency

1. A Market Monitoring Agency for the Union Milk Sector (herein after referred to as ‘the Agency’) shall be established on 1 January 2013.

2. The purpose and function of the Agency shall include, in particular, the collection and dissemination of data, information and analysis on milk production and supply, on the cost of milk production, on milk prices at farm level, on retail prices of milk and dairy products and on the margins at the various stages of the milk supply chain in Member States.

3. The Agency shall publish regular reports, at least twice yearly, on market developments. The said reports shall include an assessment and forecasts of supply and demand for milk and dairy products in the Union.

4. The Agency shall report to the Advisory Group on Milk and to the Management Committee for the Common Organisation of Agricultural Markets.

5. The Commission shall, in consultation with the Advisory Group on Milk, adopt detailed rules for the Agency. The Agency shall determine its own procedures, having regard to the provisions of this Article.

Or. en

Amendment 130
Elisabeth Jeggle, Albert Defß

Proposal for a regulation

Article 1 – point 2
Regulation (EC) 1234/2007
Article 122 – subparagraph 1 – point a – subpoint iii a

Text proposed by the Commission

Amendment

(2) In point (a) of the first paragraph of Article 122, the following point is inserted after point (iii):

deleted

“(iii) milk and milk products;”

Amendment 131
Sergio Gutiérrez Prieto, Iratxe García Pérez

Proposal for a regulation
Article 1 – point 2 a (new)
Regulation (EC) 1234/2007
Article 122 – subparagraph 1 – point c – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

2a. In point (c) of the first paragraph of Article 122, the following new paragraph is inserted after point (ii):

“As regards the dairy sector and milk products, producer organisations must fulfil the three objectives referred to in point (c) of this Article.”

Or. es

Justification

To strengthen the nature of producer organisations in the dairy sector.

Amendment 132
Elisabeth Jeggle, Albert Deß

Proposal for a regulation
Article 1 – point 2 a (new)
Regulation (EC) 1234/2007
Article 122 - paragraph 4 a (new)

Text proposed by the Commission

Amendment

(2a) The following paragraph 4a is added to Article 122:

“Milk producer cooperatives which were recognised under national law in accordance with the conditions laid down in Article 122(1)(b) and (c) before the

entry into force of this Regulation shall continue to be deemed recognised.”

Or. de

Amendment 133
Elisabeth Jeggle, Albert Deß

Proposal for a regulation
Article 1 – point 2 b (new)
Regulation (EC) 1234/2007
Article 122 - paragraph 4 b (new)

Text proposed by the Commission

Amendment

(2b) The following paragraph 4b is added to Article 122:

“Member States shall recognise producer organisations in the milk and milk product sector under the same conditions as referred to in paragraph 1(b) and (c).

The Commission may adopt implementing provisions relating to transnational producer organisations in this field and to the assistance to be provided by the competent authorities to other authorities in the event of transnational cooperation.

Member States shall lay down all other recognition conditions.”

Or. de

Amendment 134
José Bové

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. Member States may also recognise

4. An inter-branch organisation shall be

inter-branch *organisations* which:

established in each Member State which:

Or. fr

Amendment 135

Maria do Céu Patrão Neves

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 - introductory part

Text proposed by the Commission

4. Member States may *also* recognise inter-branch organisations which:

Amendment

4. Member States may recognise *as* inter-branch organisations *those organisations* which:

Or. pt

Amendment 136

José Bové

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a

Text proposed by the Commission

a) are made up of representatives of *economic activities linked to the production of, trade in, or processing of products of the milk and milk products sector;*

Amendment

(a) is made up of representatives of *recognised agricultural organisations, the processing industry, cooperatives, distributors and consumers, with the public authorities acting as arbiter and administrator.*

Or. fr

Amendment 137

Marc Tarabella, Daciana Octavia Sârbu, Vasilica Viorica Dăncilă, Stéphane Le Foll, Csaba Sándor Tabajdi, Wojciech Michał Olejniczak

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a

Text proposed by the Commission

a) are made up of *representatives of economic activities linked to the production of, trade in, or processing of products of the milk and milk products sector*;

Amendment

(a) are made up of *agricultural organisations, the dairy industry, cooperatives, distributors and consumer protection associations*;

Or. fr

Amendment 138

Maria do Céu Patrão Neves

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a

Text proposed by the Commission

(a) are made up of representatives of economic activities linked to *the production of, trade in, or processing of products of the milk and milk products sector*;

Amendment

(a) are made up of *effective* representatives of economic activities linked to production, processing, *distribution, consumers, applied research (universities and private sector) and in general all parties involved in* the milk sector;

Or. pt

Amendment 139

Michel Dantin

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point a

Text proposed by the Commission

a) are made up of representatives of economic activities linked to the production **of, trade in, or** processing of products of the milk and milk products sector;

Amendment

(a) are made up of representatives of economic activities linked to the production, processing, **marketing and distribution** of products of the milk and milk products sector, **possibly also with the involvement – in the interest of the effective exercise of their duties – of organisations representing consumers and company employees;**

Or. fr

Amendment 140

Paolo De Castro, Herbert Dorfmann, Salvatore Caronna, Sergio Paolo Francesco Silvestris, Lorenzo Fontana, Giovanni La Via

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a

Text proposed by the Commission

(a) are made up of representatives of economic activities linked to the production **of, trade in, or** processing of products of the milk and milk products sector;

Amendment

(a) are made up of representatives of economic activities linked to the production **and the** processing of **and the** trade **in** products of the milk and milk products sector. **Member States shall take the measures necessary to involve all interested economic groups, from dairy farmers, processors to traders;**

Or. en

Justification

The involvement of distributors and retailers in the producer and interbranch organizations is not clear in the Commission's text, being the point of trade reported after production and before processing.

The involvement of the business is essential to promote and strengthen positive relationships

between all the components of the value chain to help improve the transparency of the sector and contractual relations and make more equitable the distribution of value.

Amendment 141

Martin Häusling, Alyn Smith

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a

Text proposed by the Commission

(a) **are made up** of representatives of economic activities linked to the production of, trade in, or processing of products of the milk and milk products sector;

Amendment

(a) **consist in equal parts, with equal voting rights**, of representatives of economic activities linked to the production of, trade in, or processing of products of the milk and milk products sector **and recognised consumers’ representatives**;

Or. de

Amendment 142

Peter Jahr, Albert Deß, Elisabeth Jeggle

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a

Text proposed by the Commission

(a) are made up of representatives of economic activities linked to the production of, trade in, **or** processing of products of the milk and milk products sector;

Amendment

(a) are made up of representatives of economic activities linked to the production of, trade in, **and** processing of products of the milk and milk products sector;

Or. de

Amendment 143
Liam Aylward

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a

Text proposed by the Commission

(a) are made up of representatives of economic activities linked to the production of, trade in, or processing of products of the milk and milk products sector;

Amendment

(a) are made up of representatives of economic activities linked to the production of, trade in, or processing of products of the milk and milk products sector, ***and are formally constituted or registered as entities that have democratic governance and representative structures;***

Or. en

Amendment 144
José Bové

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point a a (new)

Text proposed by the Commission

Amendment

(a) a is required to open and conclude negotiations held under its auspices to set milk producer prices for a given period on the basis of the average production costs of a sustainable milk production process.

Or. fr

Justification

The right of producers' organisations to engage in such negotiations to set a price should also be accorded to inter-branch organisations.

Article 42 of the TFEU empowers the Council of the EU to waive the competition rules, for example, in order to authorise the conclusion of trade agreements by way of derogation from

the principle that agreements are not permitted.

Amendment 145

José Bové

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point b

Text proposed by the Commission

b) **are** formed on the initiative of all **or some** of the representatives referred to in point (a);

Amendment

(b) **is** formed on the initiative of all of the representatives referred to in point (a);

Or. fr

Amendment 146

Maria do Céu Patrão Neves

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – introductory part

Text proposed by the Commission

(c) carry out **one or more** of the following activities in one or more regions of the Union, taking into account the interests of consumers:

Amendment

(c) carry out **some** of the following activities, **with the power to make decisions in the area in which they operate**, in one or more regions of the Union, taking into account the interests of **the whole of the chain, notably** consumers:

Or. pt

Amendment 147

Martin Häusling, Alyn Smith

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint i

Text proposed by the Commission

(i) improving knowledge and the transparency of production and the market, including by publication of statistical data on the prices, volumes and durations of contracts for the delivery of raw milk which have been previously concluded, and by providing analyses of potential future market developments at regional *or* national level;

Amendment

(i) improving knowledge and the transparency of production and the market ***for the benefit of all components of the milk supply chain***, including by publication of statistical data on the prices, volumes and durations of contracts for the delivery of raw milk which have been previously concluded, and by providing analyses of potential future market developments at regional, national ***and international*** level;

Or. de

Amendment 148
Elisabeth Jeggle

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint i

Text proposed by the Commission

(i) improving knowledge and the transparency of production and the market, including by publication of statistical data on the prices, volumes and durations of contracts for the delivery of raw milk which have been previously concluded, and by providing analyses of potential future market developments ***at regional or national level***;

Amendment

(i) improving knowledge and the transparency of production and the market ***for the benefit of all components of the milk supply chain, particularly milk producers***, including by publication of statistical data on the prices, volumes and durations of contracts for the delivery of raw milk which have been previously concluded, and by providing analyses of potential future market developments;

Or. de

Amendment 149
Herbert Dorfmann

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint ii

Text proposed by the Commission

ii) helping to coordinate better the way the products of the milk and milk products sector are placed on the market, *in particular by means of research and market studies*;

Amendment

ii) helping to coordinate better the way the products of the milk and milk products sector are *produced and* placed on the market, *with special reference to products with a protected designation of origin*;

Or. it

Amendment 150
Sylvie Goulard

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint ii

Text proposed by the Commission

ii) helping to coordinate better the way the products of the milk and milk products sector are placed on the market, in particular by means of research *and* market studies;

Amendment

ii) helping to coordinate better the way the products of the milk and milk products sector are placed on the market, in particular by means of research, market studies *and specific marketing tools focusing on European quality products, emphasising their added value*;

Or. fr

Amendment 151
Britta Reimers, Anne E. Jensen

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint ii

Text proposed by the Commission

Amendment

(ii) helping to coordinate better the way the products of the milk and milk products sector are placed on the market, ***in particular by*** means of research and market studies;

(ii) helping to coordinate better the way the products of the milk and milk products sector are placed on the market ***by*** means of research and market studies;

Or. en

Amendment 152
Maria do Céu Patrão Neves

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint ii

Text proposed by the Commission

Amendment

(ii) helping to coordinate better the way the products of the milk and milk products sector are placed on the market, in particular by means of research and market studies;

(ii) helping to coordinate better the way the products of the milk and milk products sector are placed on the market, in particular by means of research and market studies, ***including potential export markets;***

Or. pt

Amendment 153
Michel Dantin

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint ii a (new)

Text proposed by the Commission

Amendment

ii (a) providing information on, and promoting, milk and milk products on

internal and external markets;

Or. fr

Amendment 154
Maria do Céu Patrão Neves

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint ii a (new)

Text proposed by the Commission

Amendment

(ii) promoting consumption.

Or. pt

Amendment 155
Paolo De Castro, Michel Dantin, Salvatore Caronna, Sergio Paolo Francesco Silvestris, Herbert Dorfmann, Lorenzo Fontana, Giovanni La Via

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint iii

Text proposed by the Commission

Amendment

(iii) drawing up standard forms of contract compatible with Union rules;

(iii) drawing up standard forms of contract compatible with Union rules; ***for the sale of raw milk to dairies and the supply of processed products to distributors and retailers in an integrated approach, taking into account the need to achieve fair competitive conditions and to avoid market distortions, in the interests of all members of the industry, Member States agreeing on the modalities of use of standard contracts in transaction within the sector;***

Or. en

Justification

It is urgent and necessary to improve the contractual relationships at all stages, production and trade, given the negative experiences cited by the Commission itself in the explanatory memorandum to the role and behaviour of the component of commerce.

Amendment 156

Michel Dantin

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint iii a (new)

Text proposed by the Commission

Amendment

iii (a) undertaking collective action for the prevention and management of the risks linked to the production, processing, marketing and distribution of milk and milk products;

Or. fr

Amendment 157

Martin Häusling, Alyn Smith

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint iv

Text proposed by the Commission

Amendment

(iv) providing the information and carrying out the research necessary to adjust production towards products more suited to market requirements and consumer tastes and expectations, in particular with regard to product quality and protection of the environment;

(iv) providing the information and carrying out the research necessary to adjust production towards products more suited to market requirements and consumer tastes and expectations, in particular with regard to product quality and protection of the environment, ***the climate and animal welfare;***

Amendment 158
Michel Dantin

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint iv a (new)

Text proposed by the Commission

Amendment

*iv (a) maintaining and developing the
production potential of the dairy sector;*

Or. fr

Amendment 159
Herbert Dorfmann

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint v

Text proposed by the Commission

Amendment

v) seeking ways of restricting the use of
animal-health products and other inputs;

(Does not affect English version)

Or. it

Amendment 160
**Paolo De Castro, Michel Dantin, Salvatore Caronna, Sergio Paolo Francesco Silvestris,
Herbert Dorfmann, Lorenzo Fontana, Giovanni La Via**

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint vi

Text proposed by the Commission

(vi) developing methods and instruments for improving product quality at all stages of production and marketing;

Amendment

(vi) developing methods and instruments for improving product quality at all stages of production and marketing, ***with particular reference to products of protected denomination of origin, and also through the adoption of tools to manage supply and economic participation by the producers in programmes which aim to improve quality in accordance with market demands.***

Or. en

Amendment 161
Herbert Dorfmann

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint vi

Text proposed by the Commission

vi) developing methods and instruments for improving product quality at all stages of production and marketing;

Amendment

vi) developing methods and instruments for improving product quality at all stages of production and marketing, ***also by adopting supply management tools and through producers' financial participation in quality improvement programmes in the light of market demands;***

Or. it

Amendment 162
Michel Dantin

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint vi a (new)

Text proposed by the Commission

Amendment

vi (a) enhancing food safety and health safety, particularly by ensuring the traceability of milk products;

Or. fr

Amendment 163
Michel Dantin

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint vi b (new)

Text proposed by the Commission

Amendment

vi (b) undertaking measures to promote innovation and programmes for applied research, experimentation and development, including by investing in such programmes;

Or. fr

Amendment 164
Maria do Céu Patrão Neves

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint vii

Text proposed by the Commission

Amendment

(vii) exploiting the potential of organic farming and protecting and promoting such farming as well as designations of origin, quality labels and geographical indications; and

(vii) exploiting the potential of organic farming and protecting and promoting such farming as well as designations of origin, quality labels, **product labelling** and geographical indications; and

Or. pt

Amendment 165
Maria do Céu Patrão Neves

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint vii a (new)

Text proposed by the Commission

Amendment

(vii) promoting research and development strategies for milk sector products in order to create value-added products that are more attractive to consumers and that allow producers to receive more satisfactory remuneration;

Or. pt

Amendment 166
Sylvie Goulard

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint vii a (new)

Text proposed by the Commission

Amendment

vii (a) promoting grassland production and the significant contribution to the market made by its quality products;

Or. fr

Amendment 167
Martin Häusling, Alyn Smith

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint viii

Text proposed by the Commission

Amendment

(viii) promoting ***integrated production or other environmentally sound*** production methods.

(viii) promoting production methods ***recognised and certified at European level as environmentally sound;***

Or. de

Amendment 168

Martin Häusling, Alyn Smith

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint viii a (new)

Text proposed by the Commission

Amendment

(viiia) implementation of advertising measures within the Union for milk and milk products produced in ways which are particularly sound from the point of view of the environment, climate and animal welfare;

Or. de

Amendment 169

Elisabeth Köstinger, Peter Jahr, Albert Deß, Herbert Dorfmann

Proposal for a regulation

Article 1 – point 3

Regulation (EC) 1234/2007

Article 123 – paragraph 4 – point c – subpoint viii a (new)

Text proposed by the Commission

Amendment

(viiia) ensuring just distribution of the profits from the food supply chain, particularly by shortening the production chain and promoting regional economic activity by reinforcing cooperative structures and direct marketing;

Amendment 170
Ulrike Rodust

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 – point c – subpoint viii a (new)

Text proposed by the Commission

Amendment

(viii) providing information on the particular characteristics of milk and milk products with a protected designation of origin (PGO) or a protected geographical indication (PGI); this information should include details concerning:

- the naturalness of the product (admixture of substances foreign to milk);*
- the places of production (sites of production and processing).*

Member States shall ensure that the labelling of milk products and imitations thereof is clearly defined and that penalties apply for infringements;

Or. de

Amendment 171
Michel Dantin

Proposal for a regulation
Article 1 – point 3
Regulation (EC) 1234/2007
Article 123 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a Where raw milk is sourced from less favoured areas (mountainous areas, intermediate LFAs, areas with a specific

natural handicap), any transfer of volume collected to an area which is not a LFA, or between different types of LFA, must be authorised in advance by the inter-branch organisation to which the collector and producer concerned belong.

Or. fr

Amendment 172

José Bové

Proposal for a regulation

Article 1 – point 3 a (new)

Regulation (EC) 1234/2007

Article 123 a (new)

Text proposed by the Commission

Amendment

3(a) A new Article 123a is inserted:

Article 123a

Regulation of the supply of milk products with a protected designation of origin or a protected geographical indication

1. In order to improve and stabilise the operation of the market in milk products with a protected designation of origin or a protected geographical indication in accordance with Regulation (EC) No 510/2006, the Member State in question may lay down rules to bring volumes in line with demand, particularly by way of implementing decisions taken by inter-branch organisations.

2. The decisions and measures taken by the Member States in year n in accordance with this article shall be notified to the Commission before 1 March of year n+1.

Or. fr