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*Committee on Agriculture and Rural Development*

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**2013/0398(COD)**

15.1.2014

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council on information provision and promotion measures for agricultural products on the internal market and in third countries  
(COM(2013)0812 – C7-0416/2013 – 2013/0398(COD))

Committee on Agriculture and Rural Development

Rapporteur: Esther Herranz García

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ¶ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on information provision and promotion measures for agricultural products on the internal market and in third countries  
(COM(2013)0812 – C7-0416/2013 – 2013/0398(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0812),
  - having regard to Article 294(2) and Articles 42 and 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0416/2013),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Internal Market and Consumer Protection (A7-0000/2014),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a regulation**

##### **Recital 1**

*Text proposed by the Commission*

(1) In accordance with Council Regulation (EC) No 3/2008<sup>15</sup>, the Union may implement information provision and promotion measures on the internal market and in third countries for agricultural products and their production methods and

*Amendment*

(1) In accordance with Council Regulation (EC) No 3/2008<sup>15</sup>, the Union may implement information provision and promotion measures on the internal market and in third countries for agricultural products and their production methods and

for *certain* food products based on agricultural products.

for food products based on agricultural products.

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<sup>15</sup> Council Regulation (EC) No 3/2008 of 17 December 2007 on information provision and promotion measures for agricultural products on the internal market and in third countries (OJ L 3, 5.1.2008, p. 1).

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<sup>15</sup> Council Regulation (EC) No 3/2008 of 17 December 2007 on information provision and promotion measures for agricultural products on the internal market and in third countries (OJ L 3, 5.1.2008, p. 1).

Or. es

### *Justification*

*In a time of crisis such as this, measures should be adopted that promote economic recovery in the Member States, such as broadening the range of products covered by this regulation, for which the Commission intends to quadruple expenditure.*

## **Amendment 2**

### **Proposal for a regulation Recital 4**

*Text proposed by the Commission*

*Amendment*

***(4) In order to comply with the competition rules, measures targeting the internal market should be limited to providing information on the specific characteristics of agricultural production methods in the Union or on themes which are relevant to the Union, such as the European quality systems established by Regulation (EU) No 1151/2012 of the European Parliament and of the Council<sup>16</sup>.***

*deleted*

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<sup>16</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

Or. es

### *Justification*

*The current regulation makes no distinction between types of measures applicable in the internal market and those applicable in the external market. It should be possible to conduct, in external markets, information campaigns on the high standards with which European products comply, and it should also be possible to run promotion campaigns in the internal market.*

### **Amendment 3**

#### **Proposal for a regulation**

#### **Recital 6**

##### *Text proposed by the Commission*

(6) The Union exports mainly final agricultural products, including agricultural products not included in Annex I to the Treaty on the Functioning of the European Union ('the Treaty'). The information and promotion scheme should therefore be opened up to *certain food products based on agricultural products, in line with other schemes coming under the Common Agricultural Policy (CAP), such as the European quality schemes, which already provide for mechanisms which are open to such* products.

##### *Amendment*

(6) The Union exports mainly final agricultural products, including agricultural products not included in Annex I to the Treaty on the Functioning of the European Union ('the Treaty'). ***In a time of crisis such as this, measures should be applied that promote economic recovery in the Member States. Agricultural products and processed products based on these both have an important role to play in that economic recovery.*** The information and promotion scheme should therefore be opened up to *new products not included in Annex I to the Treaty. The inclusion of these in promotion and information campaigns can be of indirect benefit to the primary sector, although their inclusion should be limited in order to ensure priority treatment is awarded to agricultural* products.

Or. es

### *Justification*

Translator's note: *the justification relates solely to a linguistic change in the Spanish that does not affect the English version.*

## Amendment 4

### Proposal for a regulation

#### Recital 7

*Text proposed by the Commission*

*Amendment*

***(7) The Union's information provision and promotion measures relating to wine are one of the landmarks of the aid programmes available to the wine sector under the CAP. Consequently, the eligibility of wine for the information provision and promotion measures provided for under this scheme should be limited solely to wine which is associated with another agricultural or food product.***

*deleted*

Or. es

#### *Justification*

*Wine should be included in the campaigns under this regulation under similar conditions to those applied to other eligible products. The Commission cannot at present directly manage wine campaigns under the arrangements for the common organisation of the markets, which in practice prevents the running of multi-country programmes. At the same time, the regulation contains a clause preventing any duplication of funding.*

## Amendment 5

### Proposal for a regulation

#### Recital 8

*Text proposed by the Commission*

*Amendment*

(8) Over the period 2001-11, barely 30 % of the budget earmarked for information provision and promotion measures under Regulation (EC) No 3/2008 was spent on measures targeting third-country markets, even though these markets offer major growth potential. ***With the aim of reaching 75 % of estimated expenditure, specific arrangements*** are therefore required to encourage a larger number of information provision and promotion measures for Union agricultural products in third

(8) Over the period 2001-11, barely 30 % of the budget earmarked for information provision and promotion measures under Regulation (EC) No 3/2008 was spent on measures targeting third-country markets, even though these markets offer major growth potential. ***Arrangements*** are therefore required to encourage a larger number of information provision and promotion measures for Union agricultural products in third countries, in particular



countries, in particular through increased financial support

through increased financial support

Or. es

### *Justification*

*While the external market currently offers greater growth potential for European products, the internal market should not be neglected. The target set by the Commission is very high and inflexible, while it is impossible to prejudge how the markets will develop in the future.*

## **Amendment 6**

### **Proposal for a regulation Recital 10**

#### *Text proposed by the Commission*

(10) The information provision and promotion measures co-financed by the Union should endow them with a specific European dimension. To that end, and in order to avoid a dispersion of resources and increase Europe's visibility through these information provision and promotion measures for agricultural products, it is necessary to establish a work programme which defines the strategic priorities for these measures in terms of populations, products, themes or markets to be targeted and the nature of the information and promotion messages to be imparted. ***The Commission will take particular account of the predominant position of small and medium-enterprises in the agri-food sector, a sector which benefits from the exceptional measures provided for in Articles 154, 155 and 156 of Regulation (EU) XXX/20... [of the European Parliament and of the Council of ... establishing a common organisation of the markets in agricultural products (Single CMO Regulation) (COM(2011)626)] and from free-trade agreements coming under the commercial policy of the European Union for***

#### *Amendment*

(10) The information provision and promotion measures co-financed by the Union should endow them with a specific European dimension. To that end, and in order to avoid a dispersion of resources and increase Europe's visibility through these information provision and promotion measures for agricultural products, it is necessary to establish a work programme which defines the strategic priorities for these measures in terms of populations, products, themes or markets to be targeted and the nature of the information and promotion messages to be imparted. ***That programme should supplement and mesh with the other measures undertaken at the initiative of the Member States or operators. Small and medium-sized enterprises in the agrifood sector should be awarded priority treatment and a higher rate of cofinancing from the Commission.***

*measures targeting third countries.*

Or. es

*Justification*

*There is a need to stress the predominant place that small and medium-sized enterprises should occupy in the programmes, as they have fewer resources at their disposal when it comes to promotion and information measures. The rapporteur also proposes including a list of objectives which should be defined in the basic act and which include promotion measures aimed at tackling agricultural crises.*

**Amendment 7**

**Proposal for a regulation  
Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) The work programme drawn up by the Commission should be based on the objectives set out in this Regulation, which consist of increasing the market share of European products and their competitiveness, especially in those sectors most affected by trade agreements, restoring normal market conditions in times of crisis and informing consumers on the high standards that EU legislation requires of EU producers.***

Or. es

**Amendment 8**

**Proposal for a regulation  
Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) Efforts to promote EU products on third country markets are sometimes prejudiced by the competition they face from imitation and counterfeit products. The Commission could provide advice and***

*assistance to EU operators in order to protect EU products against such practices. This task could be accomplished via the technical support which is among the own-initiative measures the Commission can take under this Regulation.*

Or. es

## **Amendment 9**

### **Proposal for a regulation Recital 16**

#### *Text proposed by the Commission*

(16) Financing rules should be set. As a general rule, so that ***interesting*** proposing organisations assume their responsibilities, the Union should cover ***only part*** of the cost of programmes. Certain administrative and staff costs which are not linked to implementation of the CAP form an integral part of information provision and promotion measures and could be eligible for Union funding.

#### *Amendment*

(16) Financing rules should be set. As a general rule, so that ***interested*** proposing organisations assume their responsibilities, the Union ***and the Member States*** should ***not*** cover ***all*** of the cost of programmes. Certain administrative and staff costs which are not linked to implementation of the CAP form an integral part of information provision and promotion measures and could be eligible for Union funding. ***Notwithstanding the above, 100% EU cofinancing could be granted at a time of agricultural crisis.***

Or. es

## **Amendment 10**

### **Proposal for a regulation Recital 18**

#### *Text proposed by the Commission*

(18) In order to ensure the coherence, effectiveness and sound management of the measures provided for in this Regulation as well as the efficient use of Union funding,

#### *Amendment*

(18) In order to ensure the coherence, effectiveness and sound management of the measures provided for in this Regulation as well as the efficient use of Union funding,

the Commission should be delegated the power to adopt acts in accordance with Article 290 of the Treaty as regards the specific conditions of brand visibility and the indication of product origin, the criteria for determining the eligibility of proposing organisations, the conditions governing competitive tendering between implementing organisations and the conditions according to which the proposing organisation may be authorised to implement certain parts of the programme itself and, finally, the specific conditions determining the eligibility of the costs of information provision and promotion measures for simple programmes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including using external experts. When preparing and drawing-up delegated acts, the Commission will ***ensure a simultaneous, timely and appropriate transmission of*** relevant documents to the European Parliament and to the Council.

the Commission should be delegated the power to adopt acts in accordance with Article 290 of the Treaty as regards the specific conditions of brand visibility and the indication of product origin, the criteria for determining the eligibility of proposing organisations, the conditions governing competitive tendering between implementing organisations and the conditions according to which the proposing organisation may be authorised to implement certain parts of the programme itself and, finally, the specific conditions determining the eligibility of the costs of information provision and promotion measures for simple programmes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including using external experts. When preparing and drawing-up delegated acts, the Commission will ***transmit the*** relevant documents to the European Parliament and to the Council ***in a simultaneous, timely and appropriate manner.***

Or. es

## Amendment 11

### Proposal for a regulation Article 1 – paragraph 1

#### *Text proposed by the Commission*

Information provision and promotion measures for agricultural products and ***certain food*** products based on agricultural products (hereinafter referred to as ‘information provision and promotion measures’) implemented on the internal market or in third countries may be fully or partially financed from the Union budget under the conditions set out in this Regulation.

#### *Amendment*

Information provision and promotion measures for agricultural products and products based on agricultural products (hereinafter referred to as ‘information provision and promotion measures’) implemented on the internal market or in third countries may be fully or partially financed from the Union budget under the conditions set out in this Regulation.

*Justification*

*Clarification*

**Amendment 12**

**Proposal for a regulation**

**Article 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 1a*

*Objectives*

*The work programme provided for in Article 8 shall cover the following objectives:*

- a) Increasing the market share of EU products, with a specific focus on the markets with the highest growth potential;*
- b) Restoring normal market conditions in the event of serious disruption to the market, loss of consumer confidence or other specific problems;*
- c) Increasing the competitiveness of EU products and raising their profile both within and outside the Union, and especially that of the products most vulnerable to globalisation in international trade;*
- d) Providing information to consumers on the high standards that EU products must meet arising from application of the common agricultural policy (CAP).*

Or. es

*Justification*

*The objectives of the information and promotion campaigns are fundamental features which*

*must be reflected in the basic act. It must also be made quite clear that this instrument can be used to help restore normal market conditions in crisis situations.*

### **Amendment 13**

#### **Proposal for a regulation**

##### **Article 2 – title**

*Text proposed by the Commission*

*Amendment*

Measures on the internal **market**

Measures on the internal **and external markets**

Or. es

#### *Justification*

*Articles 2 and 3 of the Regulation should be merged to make the text clearer and read better. This is consonant with the current regulation, in which no distinction is made between the internal market and the external market. It should be possible to conduct information campaigns on external markets on the high standards with which European products comply, and it should also be possible to run promotion campaigns on the internal market.*

### **Amendment 14**

#### **Proposal for a regulation**

##### **Article 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

The eligible measures **on the internal market** are as follows:

The eligible measures are as follows:

Or. es

#### *Justification*

*Articles 2 and 3 of the Regulation should be merged to make it clearer and read better. This is consonant with the current regulation, in which no distinction is made between the internal market and the external market. It should be possible to conduct information campaigns on external markets on the high standards with which European products comply, and it should also be possible to run promotion campaigns on the internal market.*

## Amendment 15

### Proposal for a regulation

#### Article 2 – point a

*Text proposed by the Commission*

a) information measures aimed at stressing the specific features of agricultural **productions** methods in the Union, particularly in terms of food safety, authenticity, nutritional and health aspects, animal welfare or respect for the environment;

*Amendment*

a) information measures aimed at stressing the specific features of agricultural **production** methods in the Union, particularly in terms of food safety, authenticity, **labelling**, nutritional and health aspects, animal welfare or respect for the environment;

Or. es

*Justification*

*It is necessary to provide consumers with ongoing information on the labelling of food products. Campaigns in respect of egg labelling are one example of this. Articles 2 and 3 of the Regulation should be merged, along the lines of the current regulation, in which no distinction is made between the internal market and the external market.*

## Amendment 16

### Proposal for a regulation

#### Article 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**ba) information measures aimed at highlighting the intrinsic characteristics of agricultural products and processed products based on EU agricultural products;**

Or. es

*Justification*

*Articles 2 and 3 of the Regulation should be merged, along the lines of the current regulation, in which no distinction is made between the internal market and the external market.*

## Amendment 17

### Proposal for a regulation Article 2 – point b b (new)

*Text proposed by the Commission*

*Amendment*

***bb) information measures aimed at increasing sales of agricultural products and processed products based on EU agricultural products.***

Or. es

*Justification*

*Articles 2 and 3 of the Regulation should be merged, along the lines of the current regulation, in which no distinction is made between the internal market and the external market.*

## Amendment 18

### Proposal for a regulation Article 3

*Text proposed by the Commission*

*Amendment*

***Article 3***

***deleted***

***Measures in third countries***

***The eligible measures in third-countries are as follows:***

***a) information measures aimed at stressing the characteristics of agricultural and food products and on the themes referred to in Article 5(4);***

***b) promotion measures aimed at increasing sales of agricultural and food products from the EU.***

Or. es

*Justification*

*Articles 2 and 3 of the Regulation should be merged, along the lines of the current regulation, in which no distinction is made between the internal market and the external market.*



## Amendment 19

### Proposal for a regulation

#### Article 5 – paragraph 1 – point a

*Text proposed by the Commission*

a) the agricultural products listed in Annex I to the Treaty on the Functioning of the European Union (hereinafter referred to as ‘the Treaty’), excluding ***the fishery and aquaculture products listed in Annex I to Regulation (EU) No [COM(2011)416] of the European Parliament and of the Council<sup>19</sup>*** and tobacco;

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<sup>19</sup> Regulation (EC) No [COM(2011/416] of ... on the common organisation of the markets in fishery and aquaculture products (OJ ...).

*Amendment*

a) the agricultural products listed in Annex I to the Treaty on the Functioning of the European Union (hereinafter referred to as ‘the Treaty’), excluding tobacco;

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<sup>19</sup> Regulation (EC) No [COM(2011/416] of ... on the common organisation of the markets in fishery and aquaculture products (OJ ...).

Or. es

#### *Justification*

*These sectors cannot be excluded while at the same time including other products not in Annex I to the Treaty from the list of eligible products under this regulation. The rapporteur proposes that aquaculture and fisheries should be granted similar treatment to that for products not listed in Annex I to the Treaty.*

## Amendment 20

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b

*Text proposed by the Commission*

b) ***the food*** products based on agricultural products ***listed in point I of Annex I to Regulation (EU) No 1151/2012 of the European Parliament and of the Council;***

*Amendment*

b) products based on agricultural products;

Or. es

### *Justification*

*Some food products that are very well known to consumers can considerably increase the impact of campaigns, which will indirectly benefit all the products covered in the campaign. However, their use in such campaigns should be limited, just as the rapporteur has proposed in another amendment to this article. At the same time, non-food products of agricultural origin should not be discriminated against, as these also contribute to the economic prosperity of the primary sector.*

### **Amendment 21**

#### **Proposal for a regulation Article 5 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. Wine *may be the subject of information provision and promotion measures provided that other products as referred to in paragraph 1(a) or (b) are also covered by the programme in question.***

**2. Wine *with designation of origin or protected geographical indication status and wine carrying an indication of the wine grape variety shall be eligible for information and promotion measures.***

Or. es

### *Justification*

*Wine should be fully incorporated into this Regulation. The promotion and information measures for wine currently conducted under the provisions of the common organisation of the markets do not include direct management by the Commission of multi-country campaigns, which makes these extremely hard to run owing to the difficulty of coordinating them among Member States. At the same time, the regulation contains a clause which would prevent any duplication of funding.*

### **Amendment 22**

#### **Proposal for a regulation Article 5 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. With regard to spirit drinks as referred to in paragraph 1(c) and wine as referred to in paragraph 2, measures targeting the internal market shall be limited to informing consumers *of the European quality schemes relating to geographical***

**3. With regard to spirit drinks as referred to in paragraph 1(c) and wine as referred to in paragraph 2, measures targeting the internal market shall be limited to informing consumers *on the themes set out in paragraph 4 and that of responsible***

*indications.*

*consumption.*

Or. es

*Justification*

*Responsible consumption campaigns, such as ‘wine moderation’ drives, should continue to be permitted. It should also be possible to bring together in the information campaigns all the themes set out in paragraph 4, which include all the quality systems laid down in Regulation 1151/2012, organic production and the outermost region logo.*

**Amendment 23**

**Proposal for a regulation**

**Article 5 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Fishery and aquaculture products may only form the subject of information and promotion measures in third countries when the programmes in question also include other types of product referred to in paragraph 1 a), b) or c).***

Or. es

*Justification*

*These sectors cannot be excluded while at the same time including other products not in Annex I to the Treaty from the list of potentially eligible products under this Regulation. The rapporteur nevertheless proposes applying a ‘bundling’ approach to them – i.e. only to include them in campaigns which also involve other products.*

**Amendment 24**

**Proposal for a regulation**

**Article 5 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***3b. The products indicated in paragraph 1 b) may form the subject of information and promotion campaigns provided that***

*other types of product referred to in paragraph 1 a) or c) are also included in the programme in question and that the former represent no more than 20% of the total products eligible for the campaigns.*

Or. es

*Justification*

*The European processing industry has a very important role to play in the economic recovery, while many products that are well-known to European and third-country consumers can also serve as a lever for the promotion of primary sector products. The harnessing of mutual synergies could be very beneficial to the European agrifood sector as a whole.*

**Amendment 25**

**Proposal for a regulation  
Article 8 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**1. Information provision and promotion** *deleted*  
*measures shall contribute to strengthening the competitiveness of European agriculture both on the internal market and in third countries. The objectives to be attained shall be set out in the work programme referred to in paragraph 2.*

Or. es

*Justification*

*It is proposed that the objectives of this Regulation be set out in Article 1a (new). The rapporteur takes the view that the objectives are a fundamental feature which should be defined in the basic act. Increasing competitiveness is one of those objectives.*

**Amendment 26**

**Proposal for a regulation  
Article 8 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall, by means of an implementing act, adopt a work programme setting out ***the objectives pursued***, the priorities, the expected results, the implementing arrangements and the total amount of the financing plan. It shall also contain the main evaluation criteria, a description of the measures to be financed, an indication of the amounts allocated to each type of measure and an indicative implementation timetable and, in the case of grants, the maximum rate of co-financing.

*Amendment*

The Commission shall, by means of an implementing act, ***on the basis of the objectives listed in Article 1a*** adopt a work programme setting out the priorities, the expected results, the implementing arrangements and the total amount of the financing plan. It shall also contain the main evaluation criteria, a description of the measures to be financed, an indication of the amounts allocated to each type of measure and an indicative implementation timetable and, in the case of grants, the maximum rate of co-financing.

Or. es

**Amendment 27**

**Proposal for a regulation**

**Article 8 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***When devising that programme, the Commission shall take into account the possibilities offered by the markets and the need to supplement and bolster actions taken by Member States and operators, both on the EU market and in third countries, in order to ensure a cohesive promotion and information policy. To this end, it shall request the opinion of the Member States and of the Advisory Group referred to in Article 25.***

Or. es

*Justification*

*It is necessary to ensure a cohesive policy in the field of promotion and information in order to prevent the measures adopted under this Regulation from potentially overlapping with ones conducted at the initiative of the Member States or operators. Complementarity and overall*

*consistency needs to be guaranteed. The aim of ensuring complementarity with the promotion policies of the Member States is not mentioned in the proposal, whereas it is in the Regulation in force.*

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 8 – paragraph 2 – subparagraph 2**

##### *Text proposed by the Commission*

The implementing act referred to in the first subparagraph shall be adopted in accordance with the **advisory** procedure referred to in Article 24(3).

##### *Amendment*

The implementing act referred to in the first subparagraph shall be adopted in accordance with the **examination** procedure referred to in Article 24(2).

Or. es

##### *Justification*

*The Commission is awarding itself excessive powers in the decision on the work programme.*

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 8 – paragraph 2 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

**2a. The work programme shall be of a three-year duration, but this may be reviewed annually.**

Or. es

##### *Justification*

*The campaigns are currently three years long, and it would therefore be appropriate for the work programme to follow the same rhythm. This would also enable due account to be taken of developments on the markets. Provision should also be made for annual reviews, so as to cater for unforeseen circumstances.*

## Amendment 30

### Proposal for a regulation

#### Article 8 – paragraph 3 – point a

*Text proposed by the Commission*

a) for simple programmes, of **a call** for proposals indicating, notably the conditions for participation and the main assessment criteria;

*Amendment*

a) for simple programmes, of **two calls** for proposals indicating, notably the conditions for participation and the main assessment criteria;

Or. es

*Justification*

*There are currently two calls for proposals, which makes for a more flexible promotion and information system.*

## Amendment 31

### Proposal for a regulation

#### Article 8 – paragraph 3 – point b

*Text proposed by the Commission*

b) for multi programmes, of **a call** for proposals in accordance with Title VI of Part I of Regulation (EU, Euratom) No 966/201223.

*Amendment*

b) for multi programmes, of **two calls** for proposals in accordance with Title VI of Part I of Regulation (EU, Euratom) No 966/201223.

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<sup>23</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

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<sup>23</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

Or. es

*Justification*

*There are currently two calls for proposals, which makes for a more flexible promotion and information system.*

## Amendment 32

### Proposal for a regulation Article 10 – paragraph 1

#### *Text proposed by the Commission*

1. The Commission may carry out information and promotion measures as described in Articles 2 and 3. These measures may in particular take the form of participation in trade fairs and exhibitions of international importance by means of stands or operations aimed at enhancing the image of Union products.

#### *Amendment*

1. The Commission may carry out information and promotion measures as described in Articles 2 and 3 **for all products which may participate by virtue of this Regulation**. These measures may in particular take the form of **high level missions**, participation in trade fairs and exhibitions of international importance by means of stands or operations aimed at enhancing the image of Union products.

Or. es

#### *Justification*

*The amendment seeks to clarify the Commission's remit. High-level missions may prove very useful in improving how EU produce is positioned in non-EU countries. Although the Commission's proposal is not exclusive, the rapporteur feels the most important aspects need to be stated explicitly in the text.*

## Amendment 33

### Proposal for a regulation Article 10 – paragraph 2

#### *Text proposed by the Commission*

2. The Commission shall develop technical support services, in particular with a view to encouraging awareness of different markets, maintaining a dynamic professional network around information and promotion policy and improving knowledge of legislative provisions concerning programme development and implementation.

#### *Amendment*

2. The Commission shall develop technical support services, in particular with a view to encouraging awareness of different markets, maintaining a dynamic professional network around information and promotion policy, **advising and assisting operators in regard to protecting their products from imitation and counterfeit products in third countries**, and improving knowledge of legislative provisions concerning programme development and implementation.



*Justification*

*The technical support provided for the sector by the Commission could include assistance and advice in order to improve protection of the intellectual property of EU products. Product authenticity will be among the subjects covered by information campaigns in accordance with the proposal. Additional advice for operators could therefore reinforce EU product protection.*

**Amendment 34****Proposal for a regulation****Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The Commission shall be authorised to embark upon information provision and promotion campaigns in the event of the crises cited in Article 1a(b) by means of implementing acts adopted without recourse to the procedures laid down in Article 24(2) or (3).***

*Justification*

*The Commission needs to have a flexible legal instrument so it may embark upon information provision and promotion campaigns in the event of crises in the agricultural sector. The Commission was not able to take swift action during the e-coli epidemic, for example, because the legal basis available was inadequate.*

**Amendment 35****Proposal for a regulation****Article 12 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The Commission shall assess and select proposals for simple programmes further to the call for proposals referred to in Article 8(3)(a).

1. The Commission shall assess and select proposals for simple programmes further to the call for proposals referred to in Article 8(3)(a), ***having first informed the Member***

*States and sought their opinion.*

Or. es

*Justification*

*The Member States should be included in the selection process as they will be responsible for managing them.*

### **Amendment 36**

#### **Proposal for a regulation Article 15 – paragraph 1**

*Text proposed by the Commission*

1. The Union's financial contribution to simple programmes shall not exceed 50 % of the eligible expenditure. The remaining expenditure shall be borne exclusively by proposing organisations.

*Amendment*

1. The Union's financial contribution to simple programmes shall not exceed 50 % of the eligible expenditure. ***The Member States may cover up to 20 % of the costs.*** The remaining expenditure shall be borne exclusively by proposing organisations.

Or. es

*Justification*

*Voluntary joint funding by the Member States should be maintained as otherwise many operators might find it extremely difficult to participate in these programmes, especially during the ongoing financial crisis.*

### **Amendment 37**

#### **Proposal for a regulation Article 15 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. The percentage ***referred to in paragraph 1*** shall be increased to 60 % for:

*Amendment*

2. The percentage ***contributed by the Union*** shall be increased to 60 % for:

Or. es

**Amendment 38**

**Proposal for a regulation**

**Article 15 – paragraph 2 – point b**

*Text proposed by the Commission*

b) information and promotion measures on fruit **and** vegetables specifically targeting children in Union educational establishments,

*Amendment*

b) information and promotion measures on fruit, vegetables **and milk** specifically targeting children in Union educational establishments,

Or. es

**Amendment 39**

**Proposal for a regulation**

**Article 15 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The percentage contributed by the Union in the event of the crises listed in Article 1(2)(b) shall be at least 75 % and may rise to as much as 100 %.***

Or. es

**Amendment 40**

**Proposal for a regulation**

**Article 15 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. The percentage contributed by the Union shall rise to 75 % for small and medium-sized enterprises in programmes of special interest to the Union other than those covered by point 2a.***

Or. es

## Amendment 41

### Proposal for a regulation Article 18 – paragraph 1

*Text proposed by the Commission*

The maximum rate of co-financing shall be set at 60 % of the total eligible costs for the multi programmes. The remaining expenditure shall be borne exclusively by proposing organisations.

*Amendment*

**1.** The maximum rate of co-financing shall be set at 60 % of the total eligible costs for the multi programmes. ***The Member State may cover up to 20 % of the total cost.*** The remaining expenditure shall be borne exclusively by proposing organisations.

Or. es

*Justification*

*Voluntary joint funding by the Member States should be maintained as otherwise many operators might find it extremely difficult to participate in these programmes, especially during the ongoing financial crisis.*

## Amendment 42

### Proposal for a regulation Article 18 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a.** ***The rate of co-financing by the Union shall rise to 75 % for programmes aimed at one or more third countries.***

Or. es

## Amendment 43

### Proposal for a regulation Article 18 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

**1b.** ***The rate of co-financing by the Union in the event of the crises listed in Article 1(2)(b) shall not be less than 75 % and***

*may rise to 100 % of total costs.*

Or. es

#### **Amendment 44**

##### **Proposal for a regulation Article 18 – paragraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***1c. The rate of co-financing by the Union shall rise to 75 % for small and medium-sized enterprises in programmes of special interest to the Union other than those covered by paragraphs 1a and 1b.***

Or. es

#### **Amendment 45**

##### **Proposal for a regulation Article 23 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The power to adopt delegated acts referred to in this Regulation shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from the date of entry into force of this Regulation.

2. The power to adopt delegated acts referred to in this Regulation shall be conferred on the Commission for ***a*** period of ***five years*** from the date of entry into force of this Regulation.

Or. es

#### **Amendment 46**

##### **Proposal for a regulation Article 25 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

In the context of implementing this

In the context of implementing this

Regulation, the Commission *may* consult the Advisory Group on Promotion of Agricultural Products established by Commission Decision 2004/391/EC<sup>27</sup>.

Regulation, the Commission *shall* consult the Advisory Group on Promotion of Agricultural Products established by Commission Decision 2004/391/EC<sup>27</sup>.

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<sup>27</sup> Commission Decision 2004/391/EC of 23 April 2004 on the advisory groups dealing with matters covered by the common agricultural policy (OJ L 120, 24.4.2004, p. 50).

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Commission Decision 2004/391/EC of 23 April 2004 on the advisory groups dealing with matters covered by the common agricultural policy (OJ L 120, 24.4.2004, p. 50).

Or. es

#### **Amendment 47**

##### **Proposal for a regulation Article 28 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

*Regulation (EU) No .../20...  
[COM(2011)626] is hereby amended as follows:*

*deleted*

*a) The following subparagraph shall be added to Article 34(2):*

*‘The national strategy shall be compatible with the strategic priorities defined in the work programme referred to in Article 6 of Regulation (EU) No XXX of the European Parliament and of the Council\*.*

*\* Regulation (EU) No XXX of the European Parliament and of the Council of ... on information provision and promotion measures for agricultural products on the internal market and in third countries (OJ L.....)’.  
b) In Article 43, the following paragraph shall be added:*

*‘5. The measures referred to in paragraph 1 shall be compatible with the strategic priorities defined in the work programme*

*referred to in Article 6 of Regulation (EU)  
No XXX.'*

Or. es

*Justification*

*Member States are already required to guarantee that programmes under the CMO are consistent with other EU instruments. This provision is redundant therefore. Furthermore, the Commission will be the party responsible for drawing up the work programme provided for in this Regulation and will therefore have to ensure that said programme is consistent with other measures undertaken by the Member States, in accordance with the principle of complementarity already prevailing in the existing Regulation.*

## EXPLANATORY MEMORANDUM

The Commission's proposal is welcome, coming as it does at a time when the common agricultural policy (CAP) is being transformed and EU producers are facing ever stiffer competition from third countries. Current economic circumstances being what they are, EU produce needs a higher profile in order to be more effective in confronting globalisation of trade, market quotas should be raised both within and outside the European Union and critical situations reacted to. The Commission's proposal should be improved by including a list in the basic act of the tangible objectives of this Regulation and the Regulation ought to give priority to small and medium-sized enterprises.

This EU Regulation on promotion measures ought to provide a flexible legal basis enabling a rapid response to agricultural crises caused by a collapse in prices or epidemics. The e-coli food scandal brought to light the CAP's deficiencies when it comes to introducing measures swiftly to re-establish consumer confidence. The rapporteur proposes introducing an emergency procedure for launching information provision and promotion campaigns in the event of health crises or market disturbances.

The Commission's proposal that brand names and the origin of products be included in the information provision and promotion campaigns constitutes a big step forward as many well-known products can be used to give a significant boost to others that consumers know less well.

The establishment of direct management by the Commission of multi-country programmes is another substantial change introduced in the proposal and another equally important step forward. Until now measures of this kind have been held back by problems with coordination between Member States but this will make their proliferation possible.

The Commission proposes that 75 % of funds be earmarked for expenditure on the external market. In setting a quantified objective like this the Commission is prejudging beforehand how markets will develop in the future, as well as neglecting the internal market which is still the main market for EU products. The rapporteur is in favour of boosting campaigns on the external market – currently they receive just 30 % of funds – but not of setting a fixed objective for expenditure. Direct management by the Commission of multi-country programmes will undoubtedly mean more campaigns being run in third countries and emphasising the EU approach.

The Commission makes a distinction between measures that can be embarked upon within the internal market and those that can be run in third countries, a distinction that does not exist in the current Regulation and which will make this CAP instrument inflexible. The rapporteur proposes retaining just one classification for measures that may be financed both within the European Union and outside it. In this way promotion campaigns would not be excluded in the internal market and consumers in third countries could be informed about the high standards EU producers must meet, something that the current wording of the Commission's draft does not cover.

The proposal only gives wine limited access to the promotion measures financed by this



Regulation. The rapporteur feels, however, that wine ought to be included on the list of eligible products on an equal footing with other agricultural sectors. Wine is the EU's flagship product and can drive up consumption of other products linked to it in information provision and promotion campaigns. Nor should wine be deprived of the opportunity to obtain funding under this Regulation for campaigns featuring just wine, which would enable it to benefit in particular from the advantages offered by the Commission's direction management of multi-country programmes. At present, the information and promotion measures controlled by the common market organisation take place under the aegis of wine programmes managed by the Member States, a fact that makes it difficult in practice to launch common measures.

The proposal abolishes national co-financing of information provision and promotion measures. This implies that operators' contributions will rise substantially, making it difficult for those businesses most weakened by the economic crisis to take part in information provision and promotion campaigns. National co-financing has always been voluntary but the rapporteur has obtained a significant number of opinions that oppose its being abolished. This report takes account of the general opinion, which also includes increasing EU co-financing in specific cases, such as funding for measures to help re-establish normal market conditions after the outbreak of agricultural crises.

Widening the list of eligible products is another of the commendable aspects of the Commission's proposal as it makes no sense at present to restrict the measures to a very limited number of products; the Commission's declared intention of practically quadrupling funds for these campaigns in 2020 should be borne in mind here too. The rapporteur is in favour of opening this scheme to products not mentioned in Annex I to the Treaty, but with restrictions introduced to ensure the primary sector is given priority. In the context of an economic crisis, all resources possible should be employed to take advantage of the impact certain processed products known to consumers can bring to bear in campaigns linked to agricultural products.

Another innovation in the Commission's proposal is the introduction of a technical support service for operators, support which the rapporteur feels should include advice and assistance in order to protect EU products better from imitation and counterfeit products in third countries.

As regards the introduction of a work programme, the report seeks to establish clearly its frequency and the fact that when drawing the work programme up the Commission must ensure the principle of complementarity and consistency which has been followed until now with other programmes Member States or the operators have embarked upon, as well as meeting objectives which must be laid down in the basic act.