

6.3.2013

B7-0080/377

Amendment 377

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

B7-0080/2013

Committee on Agriculture and Rural Development

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)

COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

Proposal for a regulation

Recital 52

Text proposed by the Commission

Amendment

***(52) Provisions of a horizontal nature
should be established for marketing
standards.***

deleted

Or. en

6.3.2013

B7-0080/378

Amendment 378

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

B7-0080/2013

Committee on Agriculture and Rural Development

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)

COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

Proposal for a regulation

Recital 55

Text proposed by the Commission

Amendment

*(55) Marketing standards should apply to
all agricultural products marketed in the
Union.*

deleted

Or. en

6.3.2013

B7-0080/379

Amendment 379

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

B7-0080/2013

Committee on Agriculture and Rural Development

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)

COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

Proposal for a regulation

Recital 59

Text proposed by the Commission

Amendment

(59) In order to take account of the expectations of consumers and to contribute to the improvement of the economic conditions for the production and marketing of agricultural products as well as to their quality and in order to adapt to the constantly changing market conditions, to the evolving consumer demands, as well as in order to take into account the developments in relevant international standards and to take technical progress into account and avoid creating obstacles to product innovation, the power to adopt certain acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of ***acts to adopt marketing standards by sectors or products, at all stages of the marketing, as well as*** derogations and exemptions from the application of such standards and in respect of necessary modification, derogation or exemption from definitions and sales descriptions.

(59) In order to take account of the expectations of consumers and to contribute to the improvement of the economic conditions for the production and marketing of agricultural products as well as to their quality and in order to adapt to the constantly changing market conditions, to the evolving consumer demands, as well as in order to take into account the developments in relevant international standards and to take technical progress into account and avoid creating obstacles to product innovation, the power to adopt certain acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of derogations and exemptions from the application of such standards and in respect of necessary modification, derogation or exemption from definitions and sales descriptions.

Or. en

AM\929553EN.doc

PE503.601

6.3.2013

B7-0080/380

Amendment 380

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

B7-0080/2013

Committee on Agriculture and Rural Development

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)

COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

Proposal for a regulation

Article 33

Text proposed by the Commission

Amendment

Article 33

deleted

National financial assistance

1. In regions of Member States where the degree of organisation of producers in the fruit and vegetables sector is particularly low, the Commission may in accordance with the examination procedure referred to in Article 162(2), by means of implementing acts, authorise Member States, on their duly substantiated request, to pay producer organisations national financial assistance equal to a maximum of 80 % of the financial contributions referred to in point (a) of Article 30(1). This assistance shall be additional to the operational fund.

2. In regions of Member States where producer organisations, associations of producer organisations and the producer groups referred to in Article 28 of Regulation (EU) No [...] on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) market less than 15 % of the value of fruit and vegetable production and whose fruit and vegetable production represents at least 15 % of their total

AM\929553EN.doc

PE503.601

agricultural output, the national financial assistance referred to in paragraph 1 may be reimbursed by the Union at the request of the Member State concerned. The Commission shall, by means of implementing acts, decide on that reimbursement. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 162(2).

Or. en

6.3.2013

B7-0080/381

Amendment 381

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

B7-0080/2013

Committee on Agriculture and Rural Development

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)

COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

Proposal for a regulation

Part 2 - Title 1 - Chapter 2 - Section 5a (new)

Text proposed by the Commission

Amendment

Section 5a

Aid in the hops sector

Article 54a

Aids to producer organisations

1. The Union shall finance a payment to producer organisations in the hops sector recognised in accordance with Article 106 to finance the aims referred to in points (i), (ii) or (iii) of Article 106(c).

2. The list of Member States applying the payment to producer organisations provided for in paragraph 1 and their national ceilings of the Union financing are set out in Annex XYZ.

3. Member States may decide to apply the payment provided for in paragraph 1 by 1 August of the year proceeding the first year of implementation of such a payment. In order to finance the payment, Member States shall use up to 0,5 % of their national ceiling set out in Annex II to the Regulation (EU) No [.../....] [DPR].

4. Member States shall notify the decision referred to in paragraph 3 by the date

AM\929553EN.doc

PE503.601

referred to in that paragraph.

Article 54b

Delegated Powers

In order to ensure that the aids finance the aims referred to in Article 106 and to take into account decisions of the Member State referred to in Article 54a(3), the Commission shall be empowered to adopt delegated acts, in accordance with Article 160, concerning:

- (a) aid applications, including rules on deadlines and accompanying documents;***
- (b) aid entitlement, including rules on eligible hop areas and the calculation of the amounts paid to each producer organisation;***
- (c) sanctions to be applied in the case of undue payment;***
- (d) reviewing the national ceilings set out in the Annex [...].***

Article 54c

Implementing powers

The Commission may adopt implementing acts, establishing the necessary measures related to this section concerning:

- (a) the payment of the aid;***
- (b) checks and inspections;***

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 162(2).

Or. en

6.3.2013

B7-0080/382

Amendment 382

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

B7-0080/2013

Committee on Agriculture and Rural Development

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)

COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

Proposal for a regulation

Part 2 - Title 2 - Chapter 1 - Section 1 - Subsection 2

Text proposed by the Commission

Amendment

General marketing standard

deleted

***Conformity with the general marketing
standard***

1. For the purposes of this Regulation a product complies with the ‘general marketing standard’ if it is of sound, fair and marketable quality.

2. Where no marketing standards as referred to in Subsection 3 and in Council Directives 2000/36/EC²⁸, 2001/112/EC²⁹, 2001/113/EC³⁰, 2001/114/EC³¹, 2001/110/EC³², 2001/111/EC³³, have been established, agricultural products which are ready for sale or delivery to the final consumer in retail as defined in point 7 of Article 3 of Regulation (EC) No 178/2002 may only be marketed if they conform to the general marketing standard.

3. A product shall be considered as conforming to the general marketing standard where the product intended to be marketed is in conformity with an applicable standard adopted by any of the international organisations listed in Annex V.

AM\929553EN.doc

PE503.601

Delegated powers

Taking into account the need to address changes in the market situation, and the specificity of each sector, the Commission shall be empowered to adopt delegated acts in accordance with Article 160 to adopt, modify and derogate from the requirements concerning general marketing standard referred to in Article 56(1), and rules on conformity referred to in Article 56(3).

²⁸ *OJ L 197, 3.8.2000, p. 19.*

²⁹ *OJ L 10, 12.1.2002, p. 58.*

³⁰ *OJ L 10, 12.1.2002, p. 67.*

³¹ *OJ L 15, 17.1.2002, p. 19.*

³² *OJ L 10, 12.1.2002, p. 47.*

³³ *OJ L 10, 12.1.2002, p. 53.*

Or. en

6.3.2013

B7-0080/383

Amendment 383

James Nicholson

on behalf of the ECR Group

**Mandate for interinstitutional negotiations,
in the form of legislative amendments**

B7-0080/2013

Committee on Agriculture and Rural Development

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)

COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

Proposal for a regulation

Article 58 - paragraph 1

Text proposed by the Commission

Amendment

Marketing standards may apply for one or more of the following products and/or sectors:

(a) olive oil and table oils in respect of the products referred to in point (a) of Part VII of Annex 1;

(b) fruit and vegetables;

(c) processed fruit and vegetables;

(d) bananas;

(e) live plants;

(f) eggs;

(g) poultrymeat;

(h) spreadable fats intended for human consumption;

(i) hops.

The products for which marketing standards by sectors or products have been laid down may be marketed in the Union only ***in accordance with such*** standards.

The products for which marketing standards by sectors or products have been laid down may be marketed in the Union only ***if they conform to those*** standards.

Or. en

AM\929553EN.doc

PE503.601

Amendment 384
James Nicholson
 on behalf of the ECR Group
Britta Reimers

**Mandate for interinstitutional negotiations,
 in the form of legislative amendments
 Committee on Agriculture and Rural Development**

B7-0080/2013

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)
 COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

**Proposal for a regulation
 Article 106**

Text proposed by the Commission

Amendment

Producer organisations

Producer organisations

Member States shall recognise, on request, producer organisations, which:

Member States shall recognise, on request, producer organisations ***in the fruit and vegetables sector, and may recognise, on request, producer organisations in all other sectors***, which:

- (a) are constituted ***by producers in any of the sectors*** listed in Article 1(2);
- (b) are formed on the initiative of ***the producers***;
- (c) pursue a specific aim which may include at least one of the following objectives:
 - (i) ensuring that production is planned and adjusted to demand, particularly in terms of quality and quantity;
 - (ii) concentration of supply and the placing on the market of the products produced by its members;
 - (iii) optimising production costs and

- (a) are constituted ***and controlled by farmers in a specific sector*** listed in Article 1(2);
- (b) are formed on the initiative of ***farmers***;
- (c) pursue a specific aim which may include at least one of the following objectives:
 - (i) ensuring that production is planned and adjusted to demand, particularly in terms of quality and quantity;
 - (ii) concentration of supply and the placing on the market of the products produced by its members;
 - (iii) optimising production costs and

stabilising producer prices;

(iv) carrying out research into sustainable production methods and market developments;

(v) promoting and providing technical assistance for the use of environmentally sound cultivation practices and production techniques;

(vi) the management of by-products and of waste in particular to protect the quality of water, soil and landscape and preserving or encouraging biodiversity; **and**

(vii) contributing to a sustainable use of natural resources and to climate change mitigation;

(d) do not hold a dominant position on a given market unless this is necessary in pursuance of the objectives of Article 39 of the Treaty.

stabilising producer prices;

(iv) carrying out research into sustainable production methods and market developments;

(v) promoting and providing technical assistance for the use of environmentally sound cultivation practices and production techniques;

(va) promoting and providing technical assistance for the use of production standards, improving product quality and developing products with a protected designation of origin, a protected geographical indication or covered by a national quality label;

(vi) the management of by-products and of waste in particular to protect the quality of water, soil and landscape and preserving or encouraging biodiversity;

(vii) contributing to a sustainable use of natural resources and to climate change mitigation;

(viiia) developing initiatives in the area of promotion and marketing;

(viiib) developing initiatives to strengthen innovation instruments, their private storage, transformation and promotion and through promotional sales;

(viiic) implementing crisis prevention and crisis management;

(viid) promoting their members' use of the futures markets and of insurance schemes and providing the requisite technical assistance;

(d) do not hold a dominant position on a given market unless this is necessary in pursuance of the objectives of Article 39 of the Treaty.

(da) market products not covered by Annex 1 to the Treaty, provided that the proportion of products sold which are not covered by Annex 1 does not exceed 49% of the total volume marketed, without this

*leading to the forfeiture of official status
as a producer organisation in the
recognised agricultural sector.*

Or. en

Amendment 385
James Nicholson
on behalf of the ECR Group
Britta Reimers

**Mandate for interinstitutional negotiations,
in the form of legislative amendments
Committee on Agriculture and Rural Development**

B7-0080/2013

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)
COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

**Proposal for a regulation
Article 106b (new)**

*Text proposed by the Commission**Amendment**Article 106b**Recognition of producer organisations*

1. Member States may recognise as producer organisations all legal entities or clearly defined parts of legal entities applying for such recognition, provided that they:

(a) meet the requirements laid down in points (b) and (c) of the first paragraph of Article 106;

(b) have a minimum number of members and/or cover a minimum volume of marketable production, to be laid down by the Member State concerned, in the area where they operate;

(c) provide sufficient evidence that they can carry out their activities properly, both over time and in terms of effectiveness, provision of human, material and technical support to their members and concentration of supply;

(d) have rules of association that are consistent with points (a),(b) and (c) of

this paragraph.

2. Member States may decide that producer organisations which have been recognised before 1 January 2014 on the basis of national law and which fulfill the conditions laid down in paragraph 1 of this Article are deemed to be recognised as producer organisations pursuant to Article 106.

3. Producer Organisations which have been recognised before 1 January 2014 on the basis of national law and which do not fulfill the conditions laid down in paragraph 1 of this Article may continue to exercise their activities under national law until 1 January 2015.

4. Member States shall:

(a) decide whether to grant recognition to a producer organisation within four months of the lodging of an application accompanied by all the relevant supporting evidence; this application shall be lodged with the Member State where the organisation has its headquarters;

(b) carry out, at intervals to be determined by them, checks to verify that recognised producer organisations are complying with the provisions in this Chapter;

(c) in the event of non-compliance or irregularities in the implementation of the measures provided for in this Chapter, impose on those organisations and associations the applicable penalties they have laid down and decide whether, if necessary, recognition should be withdrawn;

(d) inform the Commission once a year and no later than 31 March of every decision to grant, refuse or withdraw recognition taken during the previous calendar year.

Or. en

6.3.2013

B7-0080/386

Amendment 386
James Nicholson
on behalf of the ECR Group
Britta Reimers

**Mandate for interinstitutional negotiations,
in the form of legislative amendments
Committee on Agriculture and Rural Development**

B7-0080/2013

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)
COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

**Proposal for a regulation
Article 107**

Text proposed by the Commission

Amendment

Article 107

deleted

Associations of producer organisations

Member States shall recognise, on request, associations of producer organisations in any of the sectors listed in Article 1(2) which are formed on the initiative of recognised producer organisations.

Subject to the rules adopted pursuant to Article 114, associations of producer organisations may carry out any of the activities or functions of producer organisations.

Or. en

6.3.2013

B7-0080/387

Amendment 387
James Nicholson
on behalf of the ECR Group
Britta Reimers

**Mandate for interinstitutional negotiations,
in the form of legislative amendments
Committee on Agriculture and Rural Development**

B7-0080/2013

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)
COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

**Proposal for a regulation
Article 108 - paragraph 1 - introductory part**

Text proposed by the Commission

Amendment

1. Member States ***shall*** recognise, on request, interbranch organisations in any of the sectors listed in Article 1(2) which:

1. Member States ***may*** recognise, on request, interbranch organisations in any of the sectors listed in Article 1(2) which:

Or. en

6.3.2013

B7-0080/388

Amendment 388
James Nicholson
on behalf of the ECR Group
Britta Reimers

**Mandate for interinstitutional negotiations,
in the form of legislative amendments
Committee on Agriculture and Rural Development**

B7-0080/2013

Decision on the opening of, and mandate for, interinstitutional negotiations on common organisation of the markets in agricultural products (Single CMO Regulation)
COM(2011)0626 – C7-0339/2011 – (COM (2012)0535 – C7-0310/2012 – 2011/0281(COD) – 2013/2529(RSP)

**Proposal for a regulation
Article 108 - paragraph 2**

Text proposed by the Commission

Amendment

2. For interbranch organisations in the olive oil and table olive and tobacco sectors, the specific aim referred to in point (c) of paragraph 1 may also include at least one of the following objectives:

deleted

(a) concentrating and co-ordinating supply and marketing of the produce of the members;

(b) adapting production and processing jointly to the requirements of the market and improving the product;

(c) promoting the rationalisation and improvement of production and processing.

Or. en