

Amendment 437**Britta Reimers**

on behalf of the ALDE 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 110***Text proposed by the Commission**Amendment***Article 110*****deleted******Extension of rules***

1. In cases where a recognised producer organisation, a recognised association of producer organisations or a recognised interbranch organisation operating in a specific economic area or economic areas of a Member State is considered to be representative of the production of or trade in or processing of a given product, the Member State concerned may, at the request of that organisation, make binding for a limited period of time some of the agreements, decisions or concerted practices agreed on within that organisation on other operators acting in the economic area or areas in question, whether individuals or groups and not belonging to the organisation or association.

2. An “economic area” shall mean a geographical zone made up of adjoining or neighbouring production regions in which production and marketing conditions are homogeneous.

3. An organisation or association shall be deemed representative where, in the

economic area or areas concerned of a Member State:

(a) it accounts for, as a proportion of the volume of production or of trade in or of processing of the product or products concerned:

(i) for producer organisations in the fruit and vegetables sector, at least 60%, or

(ii) in other cases, at least two thirds, and

(b) it accounts for, in the case of producer organisations, more than 50% of the producers concerned.

Where the request for extension of its rules to other operators covers more than one economic area, the organisation or association shall demonstrate the minimum level of representativeness as defined in the first subparagraph for each of the branches it groups in each of the economic areas concerned.

4. The rules for which extension to other operators may be requested as provided in paragraph 1 shall have one of the following aims:

(a) production and market reporting;

(b) stricter production rules than those laid down in Union or national rules;

(c) drawing up of standard contracts which are compatible with Union rules;

(d) rules on marketing;

(e) rules on protecting the environment;

(f) measures to promote and exploit the potential of products;

(g) measures to protect organic farming as well as designations of origin, quality labels and geographical indications;

(h) research to add value to the products, in particular through new uses which do not pose a threat to public health;

(i) studies to improve the quality of

products;

(j) research, in particular into methods of cultivation permitting reduced use of plant protection or animal health products and guaranteeing conservation of the soil and the environment;

(k) definition of minimum qualities and definition of minimum standards of packing and presentation;

(l) use of certified seed and monitoring of product quality.

Those rules shall not cause any damage to other operators in the Member State concerned or the Union and shall not have any of the effects listed in Article 145(4) or be otherwise incompatible with Union or national rules in force.

Or. en

Justification

The extension of rules to non-members is not acceptable. It is in conflict with the foundations of a free economy

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Proposal for a regulation

Article 111

Text proposed by the Commission

Amendment

Article 111

deleted

Financial contributions of non-members

Where rules of a recognised producer organisation, a recognised association of producer organisations or a recognised interbranch organisation are extended under Article 110 and the activities covered by those rules are in the general economic interest of persons whose activities relate to the products concerned, the Member State which has granted recognition may decide that individuals or groups which are not members of the organisation but which benefit from those activities shall pay the organisation all or part of the financial contributions paid by its members to the extent that such contributions are intended to cover costs directly incurred as a result of pursuing the activities in question.

Or. en

Justification

Since we are against the extension of rules to non-members, we are also against provisions

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allowing that non-members are forced to financially contribute to costs of certain measures taken by organisations they are not members of

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**Proposal for a regulation
Article 112**

Text proposed by the Commission

Amendment

Article 112

deleted

***Measures to facilitate the adjustment of
supply to market requirements***

***Taking into account the need to
encourage action by the organisations
referred to in Articles 106 to 108 to
facilitate the adjustment of supply to
market requirements, with the exception
of action relating to withdrawal from the
market, the Commission shall be
empowered to adopt delegated acts in
accordance with Article 160, concerning
the live plants, beef and veal, pigmeat,
sheepmeat and goatmeat, eggs and
poultrymeat sectors on measures:***

(a) to improve quality;

***(b) to promote better organisation of
production, processing and marketing;***

***(c) to facilitate the recording of market
price trends;***

***(d) to permit the establishment of short
and long-term forecasts on the basis of
the means of production used.***

Or. en

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**Proposal for a regulation
Article 113**

Text proposed by the Commission

Amendment

Article 113

deleted

***Marketing rules to improve and stabilise
the operation of the common market in
wines***

***In order to improve and stabilise the
operation of the common market in wines,
including the grapes, musts and wines
from which they derive, producer Member
States may lay down marketing rules to
regulate supply, particularly by way of
decisions taken by the interbranch
organisations recognised under Article
108.***

***Such rules shall be proportionate to the
objective pursued and shall not:***

- (a) relate to any transaction after the first
marketing of the produce concerned;***
- (b) allow for price fixing, including where
prices are set for guidance or
recommendation;***
- (c) render unavailable an excessive
proportion of the vintage that would
otherwise be available;***
- (d) provide scope for refusing to issue the
national and Union certificates required***

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*for the circulation and marketing of wines
where such marketing is in accordance
with those rules.*

Or. en

Justification

We are against special treatment for certain sectors of the single CMO

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Proposal for a regulation

Article 118 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *the list of agricultural products subject to the presentation of* an import or export licence;

(a) *in exceptional cases and when necessary for the efficient management of markets concerned, whether it is necessary to present* an import or export licence *for certain agricultural products*;

Or. en

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Amendment 442

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Proposal for a regulation

Article 130 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

Should the world market price for white sugar exceed the Union reference price for white sugar, the Commission shall be empowered to suspend all or some of the normal customs duties for all types of sugar for such period as it considers appropriate, in order to guarantee that the Union market is properly supplied with sugar.

Or. en

Justification

At times when the world market prices are high, the current market organisation and the arrangements governing imports are not adequate to ensure that the European market is properly supplied with foodstuffs and beverages

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Amendment 443

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Proposal for a regulation

Article 130 a (new)

Text proposed by the Commission

Amendment

Article 130 b

***Suspension of import duties in the sugar
sector***

***In compliance with the relevant
mechanism and until the end of the 2017-
2018 sugar marketing year, the
Commission may adopt implementing
acts, suspending import duties in whole or
in part for certain quantities of the
following products in order to guarantee
the supply required for the Union sugar
market:***

(a) sugar falling within CN code 1701;

***(b) isoglucose falling within CN codes
1702 30 10, 1702 40 10, 1702 60 10 and
1702 90 30.***

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

Or. en

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Amendment 444

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Proposal for a regulation

Part 3 – chapter 6 – title

Text proposed by the Commission

Amendment

Export *refunds*

Export *provisions*

Or. en

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**Proposal for a regulation
Article 134**

Text proposed by the Commission

Amendment

Article 134

deleted

Export refund distribution

***The quantities which may be exported
with an export refund shall be allocated
by the method which:***

***(a) is most suited to the nature of the
product and the situation on the relevant
market, allowing the most efficient use of
the resources available, taking into
account the efficiency and structure of
Union exports and their impact on the
market balance without creating
discrimination between the operators
concerned and in particular between large
and small operators;***

***(b) is least cumbersome administratively
for operators, taking into account the
administrative requirements.***

Or. en

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Proposal for a regulation

Article 135

Text proposed by the Commission

Amendment

Article 135

deleted

Export refund fixation

1. The same export refunds shall apply to the same products in the whole Union.

They may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 218 of the Treaty make this necessary.

2. Measures on the fixing of refunds shall be taken by the Council in accordance with Article 43(3) of the Treaty.

Or. en

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Proposal for a regulation

Article 137

Text proposed by the Commission

Amendment

Article 137

deleted

***Export refunds for live animals in the
beef and veal sector***

***1. With regard to products of the beef and
veal sector, the granting and the payment
of the refund for exports of live animals
shall be subject to compliance with the
animal welfare requirements established
in the Union legislation and, in
particular, the protection of animals
during transport.***

***2. Taking into account the need to
encourage exporters to respect animal
welfare conditions and to enable the
competent authorities to verify correct
expenditure of export refunds where that
is conditional on respect for animal
welfare requirements, the Commission
shall be empowered to adopt delegated
acts in accordance with Article 160 on the
respect of animal welfare requirements
outside the customs territory of the Union,
including the use of independent third
parties.***

***3. The Commission may, by means of
implementing acts, adopt necessary***

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

Or. en