



2018/0218(COD)

12.12.2018

AMENDMENTS

10 - 28

Draft opinion

Maria Heubuch

(PE629.648v01-00)

Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products, (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union and (EU) No 229/2013 laying down specific measures for agriculture in favour of the smaller Aegean islands

Proposal for a regulation

(COM(2018)0394 – C8-0246/2018 – 2018/0218(COD))

Amendment 10

Maria Noichl

Proposal for a regulation

Citation 1

Text proposed by the Commission

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2), Article 114, the first paragraph of Article 118 and Article 349 thereof,

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2), Article 114, the first paragraph of Article 118 and Article 349 **as well as Article 208** thereof,

Or. de

Amendment 11

Mireille D'Ornano, Florian Philippot

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘The Future of Food and Farming’ of 29 November 2017 sets out the challenges, objectives and orientations for the future Common Agricultural Policy (CAP) after 2020. These objectives include, inter alia, the need for the CAP to be more result-driven, to boost modernisation and sustainability, including the economic, social, environmental and climate sustainability of the agricultural, forestry and rural areas, and to help reducing the Union legislation-related administrative burden for beneficiaries.

Amendment

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and not exposing workers to health risks.

Or. fr

Amendment 12
Stefan Gehroid

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘The Future of Food and Farming’ of 29 November 2017 sets out the challenges, objectives and orientations for the future Common Agricultural Policy (CAP) after 2020. These objectives include, inter alia, the need for the CAP to be more result-driven, to boost modernisation and sustainability, including the economic, social, environmental and climate sustainability of the agricultural, forestry and rural areas, and to help reducing the Union legislation-related administrative burden for beneficiaries.

Amendment

(1) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘The Future of Food and Farming’ of 29 November 2017 sets out the challenges, objectives and orientations for the future Common Agricultural Policy (CAP) after 2020. These objectives include, inter alia, the need for the CAP to be more result-driven, to boost modernisation and sustainability, including the economic, social, environmental and climate sustainability of the agricultural, forestry and rural areas, ***to contribute to enhancing global food security*** and to help reducing the Union legislation-related administrative burden for beneficiaries. ***The Communication also stresses the global dimension of the CAP and states the Union’s commitment to enhance Policy Coherence for Sustainable Development (PCSD).***

Or. en

Amendment 13
Maria Noichl

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘The Future of Food and Farming’ of 29 November 2017 sets out the challenges, objectives and orientations for the future Common Agricultural Policy (CAP) after 2020. These objectives include, inter alia, the need for the CAP to be more result-driven, to boost modernisation **and** sustainability, including the economic, social, environmental and climate sustainability of the agricultural, forestry and rural areas, and to help reducing the Union legislation-related administrative burden for beneficiaries.

Amendment

(1) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘The Future of Food and Farming’ of 29 November 2017 sets out the challenges, objectives and orientations for the future Common Agricultural Policy (CAP) after 2020. These objectives include, inter alia, the need for the CAP to be more result-driven, to boost modernisation, sustainability **and policy coherence for development (PCD)**, including the economic, social, environmental and climate sustainability of the agricultural, forestry and rural areas, and to help reducing the Union legislation-related administrative burden for beneficiaries.

Or. de

Amendment 14
Stefan Gehrold

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) In order to address the global dimension and implications of the CAP, coherence and continuity with other Union’s external policies and instruments, in particular in the development cooperation and trade, should be ensured. The Union’s commitment to policy coherence for development requires taking account of development objectives and principles when designing agricultural policies, especially to ensure that they are in line with the Sustainable Development Goals and the Paris Agreement.

Amendment 15
Maria Noichl

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) Since the CAP needs to sharpen its responses to the challenges and opportunities as they manifest themselves at Union, international, national, regional, local and farm levels, it is necessary to streamline the governance of the CAP and improve its delivery on the Union objectives and to significantly decrease the administrative burden. In the CAP based on delivery of performance ('delivery model'), the Union should set the basic policy parameters, such as objectives of the CAP and basic requirements, while Member States should bear greater responsibility as to how they meet the objectives **and** achieve targets. Enhanced subsidiarity makes it possible to better take into account local conditions and needs, tailoring the support to maximise the contribution to Union objectives.

Amendment

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Or. de

Amendment 16
Mireille D'Ornano, Florian Philippot

Proposal for a regulation
Recital 2

Text proposed by the Commission

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Amendment

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opportunities as they manifest themselves at Union, international, national, regional, local and farm levels, it is necessary to streamline the governance of the CAP and improve its delivery on the Union objectives and to significantly decrease the administrative burden. In the CAP based on delivery of performance ('delivery model'), the Union should set the basic policy parameters, such as objectives of the CAP and basic requirements, while Member States *could be asked to* bear greater responsibility as to how they meet the objectives and achieve targets. Enhanced subsidiarity makes it possible to better take into account local conditions and needs, tailoring the support to maximise the contribution to Union objectives.

Or. fr

Amendment 17
Maria Noichl

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) Annex II to Regulation (EU) No 1308/2013 sets out certain definitions concerning sectors falling within the scope of that Regulation. Definitions concerning the sugar sector set out in Section B of Part II of that Annex should be deleted because they are no longer applicable. In order to update definitions concerning other sectors referred to in that Annex, in light of new scientific knowledge or market developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the amendment of those definitions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work,

Amendment

(4) Annex II to Regulation (EU) No 1308/2013 sets out certain definitions concerning sectors falling within the scope of that Regulation. Definitions concerning the sugar sector set out in Section B of Part II of that Annex should be deleted because they are no longer applicable. In order to update definitions concerning other sectors referred to in that Annex, in light of new scientific knowledge or market developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the amendment of those definitions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work,

including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council. Consequently, the individual empowerment delegated to the Commission in point 4 of section A of Part II of that Annex to amend the definition of inulin syrup should be deleted.

including at expert level ***and with partners in third countries***. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council. Consequently, the individual empowerment delegated to the Commission in point 4 of section A of Part II of that Annex to amend the definition of inulin syrup should be deleted.

Or. de

Amendment 18
Maria Noichl

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Partners in developing countries should thus be helped to develop a system of geographical indications and labels, similar to the European model. These should then also be recognised by the EU and its Member States.

Or. de

Amendment 19
Maria Noichl

Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(15) The assessment carried out by the competent authorities of Member States is an essential step in the procedure. Member States have knowledge, expertise and access to data and facts that make them the

(15) The assessment carried out by the competent authorities of Member States is an essential step in the procedure. Member States have knowledge, expertise and access to data and facts that make them the

best placed to verify whether the information provided in the application is correct and truthful. Therefore, Member States should guarantee that the result of that assessment, which is to be faithfully recorded in a single document summarising the relevant elements of the product specification, is reliable and accurate. Having regard to the principle of subsidiarity, the Commission should subsequently scrutinise applications to ensure that there are no manifest errors and that Union law and the interests of stakeholders outside the Member State of application are taken into account.

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Or. de

Amendment 20

Maria Noichl

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) In respect of export credits, export credit guarantees and insurance programmes, agricultural exporting state trading enterprises and international food aid, Member States may adopt national measures respecting Union law. Since the Union and its Member States are WTO Members, such national measures should also comply with the rules laid down in that WTO Ministerial Decision of 19 December 2015, as a matter of Union law and international law.

Amendment

(27) In respect of export credits, export credit guarantees and insurance programmes, agricultural exporting state trading enterprises and international food aid, Member States may adopt national measures respecting Union law. Since the Union and its Member States are WTO Members, such national measures should also comply with the rules laid down in that WTO Ministerial Decision of 19 December 2015, as a matter of Union law and international law. ***In this respect, PCD must always be safeguarded and it must be ensured that the measures are not to the detriment of developing countries through the distortion of the conditions of competition.***

Or. de

Amendment 21

Maria Heubuch

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) In respect of export credits, export credit guarantees and insurance programmes, agricultural exporting state trading enterprises and international food aid, Member States may adopt national measures respecting Union law. Since the Union and its Member States are WTO Members, such national measures should also comply with the rules laid down in that WTO Ministerial Decision of 19 December 2015, as a matter of Union law and international law.

Amendment

(27) In respect of export credits, export credit guarantees and insurance programmes, agricultural exporting state trading enterprises and international food aid, Member States may adopt national measures respecting Union law, ***including Policy Coherence for Development as per Article 208 TFEU and the 2030 Agenda for Sustainable Development***. Since the Union and its Member States are WTO Members, such national measures should also comply with the rules laid down in that WTO Ministerial Decision of 19 December 2015, as a matter of Union law and international law.

Or. en

Justification

Policy Coherence for Development (PCD) requires taking into account the objectives of development cooperation in policies, which are likely to affect developing countries. The EU's agricultural policy has external effects, influencing in particular agricultural trade. Agricultural exporting state trading enterprises and international food aid have direct implications for international market conditions. Thus, the repercussions of these changes on developing agriculture markets must be considered.

Amendment 22

Maria Heubuch

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point -1 (new)

Regulation (EU) No 1308/2013

Article 2 a new

(-1) In Part I, the following Article 2a is inserted:

Article 2a

Policy Coherence for Development

In accordance with Article 208 TFEU, objectives of EU development cooperation, including those agreed in the context of the United Nations and other international organisations, shall be taken into account in the implementation of this regulation. Measures taken under this regulation shall not jeopardise the food production capacity and long-term food security of developing countries, in particular of least developed countries (LDCs)

Or. en

Justification

According to Article 208 TFEU, all policies which are likely to affect developing countries must take EU development policy objectives into account. Facilitating developing countries' agricultural development and enhancing global food security are major objectives of EU development cooperation. The EU's agricultural policy has external effects, influencing in particular trade in agriculture. The PCD principle would require that potential repercussions on local agricultural markets and local producers in developing countries be monitored and, wherever possible, avoided.

Amendment 23

Maria Noichl

Proposal for a regulation

Article 1 – paragraph 1 – point 3 a (new)

3a. The following article is inserted:

The possibility of a voluntary reduction of quantities shall be introduced. This intervention shall be possible when the Commission decides that there is a serious disturbance of the market in a sector

(from the list in Article 1(2) of Regulation 1308/2013). Producers may then voluntarily reduce their production volume over a period to be determined by the Commission, in relation to the same period in the previous year.

The Commission shall lay down the following in delegated acts:

- Maximum supply quantities/volumes*
- Duration of the reduced production*
- Level of compensation for producers who reduce quantities*
- Level of the penalty for producers who increase their production during that period*

Or. de

Amendment 24

Maria Heubuch

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 3 a (new)

Regulation 1308/2013

Article 16 (1)

Present text

1. Disposal of products bought in under public intervention shall take place in such a way as to:
 - (a) avoid any disturbance of the market,
 - (b) ensure equal access to goods and equal treatment of purchasers, *and*
 - (c) *be in compliance* with the commitments resulting from international

Amendment

(3a) Article 16(1) is replaced by the following

1. Disposal of products bought in under public intervention shall take place in such a way as to:
 - (a) avoid any disturbance of the *Union* market *or third country markets*
 - (b) ensure equal access to goods and equal treatment of purchasers,
 - (c) *avoid sale of products below the relevant public intervention price*

agreements concluded in accordance with the TFEU.

(d) comply with the commitments resulting from international agreements concluded in accordance with the TFEU, **and**

(e) comply with Policy Coherence for Development, as per Article 208 TFEU.

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02013R1308-20180101>)

Justification

Further provisions are added to ensure that disposal from public intervention is undertaken in line with Article 208 TFEU, requiring Policy Coherence for Development (e). Specifically, disposal of products must not disturb third country markets, as well as the Union market (a). Finally, products shall not be disposed at a price below the relevant public intervention price - whether this is a fixed price according to Article 15(1)(a) or the maximum price according to Article 15(1)(b)

Amendment 25 **Maria Noichl**

Proposal for a regulation **Article 1 – paragraph 1 – point 3 b (new)**

Text proposed by the Commission

Amendment

3b. The following paragraph is inserted:

Public intervention and private stockholding shall not have a negative impact on developing countries and shall comply with PCD principles. Accordingly, a subsequent sale of products that have been affected by public intervention and private stockholding must not have a negative impact on the markets in developing countries.

Or. de

Amendment 26

Maria Heubuch

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 26 a (new)

Regulation 1308/2013

Article 205 a new

Text proposed by the Commission

Amendment

(26a) In Part III, the following Chapter VIIa (new) is inserted:

Chapter VIIa

Article 205a

Monitoring Policy Coherence for Development

1. In accordance with Article 208 TFEU, the impact of the CAP on food systems and on long-term food security in developing countries shall be subject to regular and independent assessments. This monitoring shall pay particular attention to the impact of agro-food trade flows between the EU and developing countries on

(i) food production, processing and distribution in LDCs,

(ii) local smallholder producers and women farmers

(iii) products deemed as sensitive by developing countries

(iv) products from sectors where CAP coupled payments have been granted and where CAP crisis management measures have been deployed.

2. The assessment shall examine data from the EU market observatories, case studies, reporting on the Sustainable Development Goals, as well as evidence provided by partner countries and other relevant stakeholders such as civil society organisations. For this purpose, the sectoral and geographic scope of the EU market observatories shall be expanded to

products deemed as sensitive by partner countries and to cover LDCs. The Commission shall define, by means of delegated acts, the scope and the procedure for the assessment.

3. If monitored data indicate a risk of adversely affecting the agro-food production and processing or food security of a developing country, an early warning shall be issued by the European Commission, prompting a consultation between the Union and affected farming communities as well as partner country governments to agree remedial measures. A social safeguard shall be available to affected parties.

4. Should no early warning be issued but adverse effects occur, the affected party may file a complaint. Complaints shall be received by the European Parliament's Standing Rapporteur on Policy Coherence for Development and the complaint shall be handled by Hearing Officers in the European Commission. Evidence may be presented by the affected groups and other interested parties.

5. The Commission shall transmit an annual report to the Council and to the European Parliament on the results of the assessment, the evidence received and the EU's policy response.

Or. en

Amendment 27
Maria Heubuch
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 27

Text proposed by the Commission

Amendment

(27) In Article 225, points (a) **to** (d) are deleted;

(27) In Article 225, points (a), (c) **and** (d) are deleted;

Or. en

Justification

The milk market still requires monitoring, and reporting requirements here should not be deleted

Amendment 28

Maria Heubuch

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 27 a (new)

Regulation 1308/2013

Article 225 b

Present text

Amendment

(b) by 30 June **2014 and also by 31 December 2018**, on the development of the market situation in the milk and milk products sector, and in particular on the operation of Articles 148 to 151, Article 152(3) and Article 157(3), assessing in particular the effects on milk producers and milk production in disadvantaged regions in connection with the general objective of maintaining production in such regions, and covering potential incentives to encourage farmers to enter into joint production agreements, together with any appropriate proposals;

(27a) Article 225 point (b) is replaced by the following:

(b) **every four years and for the first time** by 30 June **2022**, on the development of the market situation in the milk and milk products sector, and in particular on the operation of Articles 148 to 151, Article 152(3) and Article 157(3), assessing in particular the effects on milk producers and milk production in disadvantaged regions in connection with the general objective of maintaining production in such regions, and covering potential incentives to encourage farmers to enter into joint production agreements, together with any appropriate proposals;

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02013R1308-20180101>)

Justification

The milk market still requires monitoring, and reporting requirements here should be updated.