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Committee on Agriculture and Rural Development

2010/0353(COD)

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*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council
on agricultural product quality schemes
(COM(2010)0733 – C7-0423/2010 – 2010/0353(COD))

Committee on Agriculture and Rural Development

Rapporteur: Iratxe García-Pérez

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

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on agricultural product quality schemes
(COM(2010)0733 – C7-0423/2010 – 2010/0353(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2010)0733),
 - having regard to Article 294(2) and Articles 43(2) and 118(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0423/2010),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of ...¹,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A7-0000/2011),
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

Title

Text proposed by the Commission

REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on *agricultural product* quality schemes

Amendment

REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on quality schemes *for agricultural
products and foodstuffs*

¹ Opinion of ... (not yet published in the Official Journal).

Justification

Coherence with amendments on articles; 'foodstuffs' should be part of the Regulation, as is the case with the current Regulations 509/2006, 510/2006.

Amendment 2**Proposal for a regulation****Recital 13 - indent 3**

Text proposed by the Commission

Amendment

- Provisions concerning voluntary labelling rules of Regulation (EC) No 1234/2007 and Directive 2001/110/EC

deleted

Or. en

Justification

Coherence with amendments on articles.

Amendment 3**Proposal for a regulation****Recital 28**

Text proposed by the Commission

Amendment

(28) In view of their specific nature, special provisions as to labelling should be adopted for protected designations of origin and protected geographical indications, requiring producers to use the appropriate Union symbols or indications on packaging. The use of such symbols or indications should be made obligatory in the case of Union names, on the one hand, to make this category of products and the guarantees attached to them better known to consumers and, on the other, to permit easier identification of these products on

(28) In view of their specific nature, special provisions as to labelling should be adopted for protected designations of origin and protected geographical indications, requiring producers to use the appropriate Union symbols or indications on packaging. The use of such symbols or indications should be made obligatory in the case of Union names, on the one hand, to make this category of products and the guarantees attached to them better known to consumers and, on the other, to permit easier identification of these products on

the market so as to facilitate checks. Taking into account the requirements of the World Trade Organization, the use of such symbols or indications should be ***made voluntary*** for geographical indications and designations of origin originating in a third country.

the market so as to facilitate checks. Taking into account the requirements of the World Trade Organization, the use of such symbols or indications should be ***authorised only in the case of products that have complied with the procedures set out in Chapter IV of Title V of this Regulation***, for geographical indications and designations of origin originating in a third country.

Or. en

Justification

Coherence with amendments on articles.

Amendment 4

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) To ensure that names of genuine traditional products are registered under the scheme, other criteria and conditions for registration of a name should be reviewed, in particular concerning the definition of 'traditional' that should be changed to cover products that have been produced for a highly significant period of time. ***To improve protection of the culinary heritage of the Union, the scope of the traditional specialities guaranteed scheme should henceforth be more clearly focussed on prepared meals and processed products.***

Amendment

(36) To ensure that names of genuine traditional products are registered under the scheme, other criteria and conditions for registration of a name should be reviewed, in particular concerning the definition of 'traditional' that should be changed to cover products that have been produced for a highly significant period of time.

Or. en

Justification

Coherence with amendments on articles.

Amendment 5

Proposal for a regulation Recital 43

Text proposed by the Commission

Amendment

(43) The marketing standards should be clearly divided between obligatory rules maintained in the common market organisation legislation and the optional quality terms, which should be included in the architecture of the quality schemes. The optional quality terms should continue to support the aims of the marketing standards and thus be limited in scope to product listed in Annex I to the Treaty. ***deleted***

Or. en

Justification

The specific provisions relating to optional reserved terms and all articles and recitals relating to these terms and to marketing standards, as well as Annex II are moved to the proposal for a Regulation on marketing standards (2010/0354 COD), so as to integrate all optional reserved terms in the Single CMO.

Amendment 6

Proposal for a regulation Recital 44

Text proposed by the Commission

Amendment

(44) In the light of the objectives of the present Regulation and in the interest of clarity, existing optional quality terms should be governed by this Regulation. ***deleted***

Or. en

Justification

The specific provisions relating to optional reserved terms and all articles and recitals relating to these terms and to marketing standards, as well as Annex II are moved to the proposal for a Regulation on marketing standards (2010/0354 COD), so as to integrate all optional reserved terms in the Single CMO.

Amendment 7

Proposal for a regulation Recital 44 a (new)

Text proposed by the Commission

Amendment

(44a) A second tier of quality systems, based on quality terms which add value, which can be communicated on the internal market and which are to be applied voluntarily, should be put in place; these optional quality terms should refer to specific characteristics, with regard to the product, farming method or processing attribute; the optional quality term "product of mountain farming" has met the conditions up to now and will bring an additional value on the market.

Or. en

Justification

Coherence with amendments on the establishment of the 'optional quality terms'.

Amendment 8

Proposal for a regulation Recital 57

Text proposed by the Commission

Amendment

(57) The role of groups should be clarified and recognised. Groups play an essential role in the application process for the registration of names of designations of origin and geographical indications and traditional specialities guaranteed, including amendments of specifications and cancellation requests. The group can also develop activities related to the surveillance of the enforcement of the protection of the registered names, the compliance of the production with the product specification, the information and promotion of the registered name as well as in general any activity aiming to improve

(57) The role of groups should be clarified and recognised. Groups play an essential role in the application process for the registration of names of designations of origin and geographical indications and traditional specialities guaranteed, including amendments of specifications and cancellation requests. The group can also develop activities related to the surveillance of the enforcement of the protection of the registered names, the compliance of the production with the product specification, the information and promotion of the registered name as well as in general any activity aiming to improve

the value of the registered names and effectiveness of the quality schemes. Nevertheless, these activities should not facilitate nor lead to anti-competitive conduct incompatible with Articles 101 and 102 of the Treaty.

the value of the registered names and effectiveness of the quality schemes. ***The groups should have the right to apply for the authorisation of systems for the management of supply.*** Nevertheless, these activities should not facilitate nor lead to anti-competitive conduct incompatible with Articles 101 and 102 of the Treaty, ***nor should they infringe on the rights of small producers and new entrants on the market.***

Or. en

Justification

Coherence with amendments on articles.

Amendment 9

Proposal for a regulation Recital 62

Text proposed by the Commission

(62) The Commission should have the power to adopt delegated acts in accordance with Article 290 of the Treaty in order to supplement or amend certain non-essential elements of this Regulation. The elements for which that power may be exercised should be defined, as well as the conditions to which that delegation is to be subject.

Amendment

(62) In order to ensure the proper functioning of the regime established by this Regulation, 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 supplementing or amending of certain non-essential elements of this Regulation. 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 Council.

Or. en

Justification

Reflects Common Understanding on delegated acts between institutions.

Amendment 10

Proposal for a regulation

Recital 62 a (new)

Text proposed by the Commission

Amendment

(62a) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to establish and maintain updated a register of protected designations of origin (PDOs), protected geographical indications (PGIs), and traditional specialities guaranteed (TSG), lay down the form and content of the register, define the means by which the name and address of product certification bodies shall be made public, make public the list of names for which registration applications have been submitted to it, make provision for the publication of certain documents in the Official Journal, decide to reject an application where conditions are not met, register a name where no opposition is met and approve or reject amendments to product specifications if these are minor.

Or. en

Justification

These are cases where the Commission may act without the assistance of the Committee.

Amendment 11

Proposal for a regulation Recital 63

Text proposed by the Commission

(63) In order to guarantee a uniform application of this Regulation in all Member States, the Commission should be empowered to adopt implementing acts in accordance with Article 291 of the Treaty. Save where explicitly provided otherwise, the Commission should adopt those implementing acts in accordance with the provisions of Regulation (EU) No XX/XXXX of the European Parliament and the Council of... on ...

Amendment

(63) The implementing powers relating to the extension of certain transition periods, the protection of TSGs, the use of optional quality terms, the uniform protection of the indications, abbreviations and symbols referring to the quality schemes, the decision on the registration of names when no agreement is reached by the Agricultural Product Quality Committee, the cancellation of the registration of PDOs, PGIs, or TSGs should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers¹.

¹ OJ L 55, 28.02.2011, p. 13

Or. en

Justification

According to the templates used for articles on implementing powers.

Amendment 12

Proposal for a regulation Article 1

Text proposed by the Commission

1. This Regulation is designed to assist producers of agricultural products to communicate the product characteristics and farming attributes of those products to buyers and consumers ensuring:

Amendment

1. This Regulation is designed to assist producers of agricultural products **and foodstuffs** to communicate the product characteristics and farming attributes of those products to buyers and consumers ensuring:

Justification

It is wished to make clear that 'foodstuffs' are also covered by this Regulation, as is already the case with current Regulations 509/2006 and 510/2006.

Amendment 13**Proposal for a regulation****Article 2 - paragraph 1 - subparagraph 2**

Text proposed by the Commission

Amendment

However, the quality scheme set out in Title III of this Regulation shall not apply to unprocessed agricultural products.

deleted

Or. en

Justification

The primary traditional production systems should not be excluded from the TSG scheme. If we limit TSG to processed products, we limit the possibility for traditional production systems in crop and livestock quality production to have access to the TSG scheme.

Amendment 14**Proposal for a regulation****Article 2 - paragraph 1 - subparagraph 3**

Text proposed by the Commission

Amendment

In order to ensure that the products covered by this Regulation are closely linked to agricultural products or to the rural economy, the Commission may, by means of delegated acts, ***amend*** Annex I thereto.

In order to ensure that the products covered by this Regulation are closely linked to agricultural products or to the rural economy, the Commission may, by means of delegated acts, ***supplement*** Annex I thereto.

Or. en

Justification

This achieves more clarity with regard to the Commission power to include new products in the ambit of Annex I.

Amendment 15

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

Text proposed by the Commission

2. This Regulation shall not apply to grapevine products with the exception of wine vinegars, or to spirit drinks or to aromatised wines.

Amendment

2. This Regulation shall not apply to grapevine products with the exception of wine vinegars **and grape juice**, or to spirit drinks or to aromatised wines.

Or. en

Justification

Grape Juice, as a PDO or PGI is not included in either the Single CMO, or in Regulation 510/2006, so this amendment seeks to address that.

Amendment 16

**Proposal for a regulation
Article 3 - point 2**

Text proposed by the Commission

(2) ‘group’ means any association, irrespective of its legal form, mainly composed of producers or processors working with the same product;

Amendment

(2) ‘group’ means any association, irrespective of its legal form, mainly composed of **operators who produce, process or produce and process** the product;

Or. en

Justification

This amendment wishes to provide greater clarification on the composition of groups and a presence of both processors and producers.

Amendment 17

Proposal for a regulation Article 3 - point 6 a (new)

Text proposed by the Commission

Amendment

(6a) 'production step' means one of the following: production, processing or preparation. Packaging does not form part of the production steps;

Or. en

Justification

Throughout consultations, it became clear that a greater clarification of what is meant with regards to the production steps mentioned is needed.

Amendment 18

Proposal for a regulation Article 3 - point 6 b (new)

Text proposed by the Commission

Amendment

(6 b) 'processed product' has the same meaning as in point 'o' of Article 2(1) of Regulation (EC) No 852/2004.

Or. en

Justification

This is intended to achieve better clarification and legislative coherence.

Amendment 19

Proposal for a regulation Article 5 - paragraph 1 - point (iii)

Text proposed by the Commission

Amendment

(iii) the production steps ***of which all*** take place in the same defined geographical

(iii) ***all of*** the production steps, ***namely production, processing or preparation,***

area;

take place in the same defined geographical area;

Or. en

Justification

The current definition of PDO under Regulation 510/2006 should be maintained as it covers not only production but also “production, processing and preparation” of the product, so the proposed wording may be less equivocal.

Amendment 20

**Proposal for a regulation
Article 6 - paragraph 3**

Text proposed by the Commission

3. A name proposed for registration that is wholly or partially homonymous with a name already entered in the register established under Article 11 may be registered provided there is sufficient distinction in practice between conditions of usage and presentation of the homonym registered subsequently and the name already entered in the register, so as to not mislead the consumer.

Amendment

3. A name proposed for registration that is wholly or partially homonymous with a name already entered in the register established under Article 11 may **not** be registered **unless** there is sufficient distinction in practice between conditions of **local and traditional** usage and presentation of the homonym registered subsequently and the name already entered in the register, so as to not mislead the consumer **into believing that products come from another territory even if the name is accurate as far as the actual territory, region or place of origin of the agricultural products or foodstuffs in question is concerned.**

Or. en

Justification

This amendment aims at introducing more coherence with Single Common Market Organization (wine). It is coherent with the extension of protection of wine under the WTO TRIPs Agreement.

Amendment 21

Proposal for a regulation

Article 7 - paragraph 1 - point b

Text proposed by the Commission

(b) a description of the product, including the raw materials, if appropriate, **and** the principal physical, chemical, microbiological **and** organoleptic characteristics of the product ;

Amendment

(b) a description of the product, including the raw materials, if appropriate, **as well as** the principal physical, chemical, microbiological **or** organoleptic characteristics of the product ;

Or. en

Justification

It is important to maintain on this point the current provisions of 510/2006 Regulation which take into account the differences that exist between GI products with regard to the characteristics that are analysed.

Amendment 22

Proposal for a regulation

Article 7 - paragraph 1 - point e

Text proposed by the Commission

(e) a description of the method of obtaining the product and the authentic and unvarying local methods and, **where applicable**, information concerning packaging, if the applicant group so determines and gives reasons why the packaging must take place in the defined geographical area to safeguard quality or ensure the origin or ensure control;

Amendment

(e) a description of the method of obtaining the product and, **where appropriate**, the authentic and unvarying local methods and information concerning packaging, if the applicant group so determines and gives reasons why the packaging must take place in the defined geographical area to safeguard quality or ensure the origin or ensure control;

Or. en

Justification

This provides for better legal clarity of the text.

Amendment 23

Proposal for a regulation Article 12 - paragraph 3

Text proposed by the Commission

3. In the case of products originating in the Union, marketed under a protected designation of origin or a protected geographical indication registered in accordance with the procedures laid down in this Regulation, the indications ‘protected designation of origin’ or ‘protected geographical indication’ or the **Union symbols associated with them shall appear on the labelling. In addition, the** corresponding abbreviations "PDO" or "PGI" may appear on the labelling.

Amendment

3. In the case of products originating in the Union, marketed under a protected designation of origin or a protected geographical indication registered in accordance with the procedures laid down in this Regulation, **the Union symbols associated with them shall appear on the labelling. In addition,** the indications ‘protected designation of origin’ or ‘protected geographical indication’ or the corresponding abbreviations "PDO" or "PGI" may appear on the labelling.

Or. en

Justification

This amendment seeks to enhance the visibility of the European logo, which should be obligatory, as is the case with the organic label. This is consistent with the information and promotion effort undertaken by the Commission to promote knowledge of the quality schemes among European consumers.

Amendment 24

Proposal for a regulation Article 12 - paragraph 4

Text proposed by the Commission

4. In the case of products originating in third countries marketed under a name entered in the register, the indications referred to in paragraph 3 or the Union symbols associated with them may appear on the labelling.

Amendment

4. In the case of products originating in third countries marketed under a name entered in the register **in accordance with Chapter IV of Title V of this Regulation,** the indications referred to in paragraph 3 or the Union symbols associated with them may appear on the labelling.

Or. en

Justification

Only products from third countries and EU countries that have undergone the procedure of examination contained in this regulation ("Reciprocity") should be entitled to bear the same symbols and indications.

Amendment 25

Proposal for a regulation

Article 13, -paragraph 1 - point b

Text proposed by the Commission

(b) any misuse, imitation or evocation, even if the true origin of the product or service is indicated or if the protected name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’ or similar;

Amendment

(b) any misuse, imitation or evocation, even if the true origin of the product or service is indicated or if the protected name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’ or similar, ***in so far as those products or services are comparable to the products registered under that name or in so far as the misuse, imitation or evocation of the name exploits the reputation of the protected name, including when used as an ingredient;***

Or. en

Justification

This amendment aims at reinforcing the protection of registered PDO/PGI names, also with regards to the use of a PDO/PGI as an ingredient.

Amendment 26

Proposal for a regulation

Article 18 - paragraph 1

Text proposed by the Commission

1. A name shall be eligible for registration as a traditional speciality guaranteed where it describes a specific ***processed*** product that:

Amendment

1. A name shall be eligible for registration as a traditional speciality guaranteed where it describes a specific product that:

Or. en

Justification

This amendment seeks to achieve consistency with the other amendments that depart from the limitation to processed foods only; also, we believe in the case of TSGs, this limitation is not needed.

Amendment 27

Proposal for a regulation

Article 18 - paragraph 1 - point a

Text proposed by the Commission

(a) results from a mode of production **and** composition corresponding to traditional practice for that product, **and**

Amendment

(a) results from a mode of production **or** composition corresponding to traditional practice for that product, **or**

Or. en

Amendment 28

Proposal for a regulation – amending act

Article 18 - paragraph 2 - point b

Text proposed by the Commission

(b) identify the traditional **form** of the product

Amendment

(b) identify the traditional **character or the specificity** of the product

Or. en

Amendment 29

Proposal for a regulation

Article 19 - paragraph 1 - point b

Text proposed by the Commission

(b) a description of the product including its main physical, chemical, microbiological or organoleptic characteristics, showing the product's specificity;

Amendment

(b) a description of the product including, **where appropriate**, its main physical, chemical, microbiological or organoleptic characteristics, showing the product's specificity;

Or. en

Amendment 30

Proposal for a regulation Article 26

Text proposed by the Commission

A scheme for optional quality terms is established in order to facilitate producers of agricultural product having value adding characteristics or attributes to communicate such characteristics or attributes within the internal market, **and in particular to support and complement specific marketing standards.**

Amendment

A scheme for optional quality terms is established in order to facilitate producers of agricultural product having value adding characteristics or attributes to communicate such characteristics or attributes within the internal market.

Or. en

Justification

The specific provisions relating to optional reserved terms and all articles and recitals relating to these terms and to marketing standards, as well as Annex II are moved to the proposal for a Regulation on marketing standards (2010/0354 COD), so as to integrate all optional reserved terms in the Single CMO.

Amendment 31

Proposal for a regulation Article 27

Text proposed by the Commission

Article 27

Existing optional quality terms

- 1. The optional quality terms covered by this scheme at the date of entry into force of this Regulation are listed in Annex II to this Regulation together with the acts laying down the terms in question and the conditions of use of those terms.**
- 2. The optional quality terms referred to in paragraph 1 shall stay in force until amended or cancelled pursuant to Article 28.**

Amendment

deleted

Or. en

Justification

The specific provisions relating to optional reserved terms and all articles and recitals relating to these terms and to marketing standards, as well as Annex II are moved to the proposal for a Regulation on marketing standards (2010/0354 COD), so as to integrate all optional reserved terms in the Single CMO.

Amendment 32

Proposal for a regulation

Article 29 - paragraph 1 - subparagraph 2

Text proposed by the Commission

The Commission shall take account of any relevant international standard.

Amendment

The Commission shall take account of any relevant international standard ***and of the current reserved terms existing for the products or sectors involved***

Or. en

Justification

This is in order to safeguard existing reserved terms and avoid duplication.

Amendment 33

Proposal for a regulation

Article 29 a (new)

Text proposed by the Commission

Amendment

Article 29a

Product of mountain farming

1. The term 'product of mountain farming' is established. This term may only be used to describe products intended for human consumption listed in Annex I to the Treaty of which the raw materials come from mountain areas. In addition, for the term to be applied to processed products, such processing must also take place in mountain areas.

2. For the purposes of this Article, "mountain areas" within the European Union are those areas within the meaning of Article 18(1) of Regulation (EC) No 1257/1999. For products of third countries, "mountain areas" shall include areas that fulfil criteria equivalent to those set out in Article 18(1) of Regulation (EC) No 1257/1999.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article [...] laying down derogations from the conditions of use referred to in paragraph 1 in duly justified cases and in order to take into account of natural constraints affecting agricultural production in mountain areas.

Or. en

Justification

Your rapporteur believes a scheme for products of mountain farming should be introduced. Following extensive consultations, it became clear that this scheme is not only desired by the sector, but also the clear added value it would result for the consumer and the value of the products was established.

Amendment 34

**Proposal for a regulation
Article 30 - paragraph 2**

Text proposed by the Commission

2. Member States shall take appropriate measures to ensure that product labelling does not give rise to confusion with **optional** quality **terms**.

Amendment

2. Member States shall take appropriate measures to ensure that product labelling does not give rise to confusion with **other** quality **mentions**.

Or. en

Justification

This is to avoid legal uncertainty, in the cases where a variety of such quality mentions may exist throughout the Member States.

Amendment 35

Proposal for a regulation Article 42 - paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Member States shall encourage the formation and functioning of groups on their territories by administrative means. Without prejudice to the definition of groups in Article 3(2), Member States shall encourage such groups to function as a legal entity under the respective legal provisions of the Member State.

Or. en

Justification

This amendment is meant to provide support for the formation of groups, which are fundamental for the functioning of the quality schemes.

Amendment 36

Proposal for a regulation Article 42 - point d a (new)

Text proposed by the Commission

Amendment

(da) apply for an authorisation from its Member State with regard to the possibility of establishing a system for managing its production.

With regard to that system, in order to create better premises for the stability and functioning of the market for PDO and PGI products, Member States may establish rules on adjusting supply to demand, in the cases where the groups responsible for the PDO and PGI formally introduce a demand in this direction. Such management of supply systems shall not harm competition in the internal market, constitute a barrier for new entrants on the market, or lead to small producers being adversely affected.

The Commission shall be notified and may revoke at any time the authorisation of the Member States.

Or. en

Justification

In limited and controlled situations a role for establishing production management measures shall be granted to producer groups, under the tight supervision of Member States and the Commission. Such systems may lead to greater stability for producers of PDO and PGI high value products and avoid extreme price volatility in this sector.

Amendment 37

**Proposal for a regulation
Article 44 a (new)**

Text proposed by the Commission

Amendment

Article 44a

Reporting on Guidelines

With regard to the Guidelines on the best practices on voluntary certification schemes (2010/C 341/04) and on the labelling of products using PDO-PGI ingredients (2010/C 341/03), after 3 years following the entry into force of this Regulation, the Commission shall present a report to the European Parliament and the Council, with a view to establishing whether legislative provisions are necessary, accompanied, if appropriate, by any relevant proposals.

Or. en

Justification

The guidelines proposed by the Commission only serve as an orientation tool, as recommendations. After three years' application, it would be useful to know whether obligatory legislative measures are needed instead.

Amendment 38

Proposal for a regulation Article 48 - paragraph 3

Text proposed by the Commission

3. Where statement of opposition is admissible, the Commission shall invite the authority or person that lodged the opposition and the authority or body that lodged the application to engage in appropriate consultations for a reasonable period that shall not exceed three months.

Amendment

3. Where statement of opposition is admissible, the Commission shall invite the authority or person that lodged the opposition and the authority or body that lodged the application to engage in appropriate consultations for a reasonable period that shall not exceed three months. ***The Commission may renew this period once, at the request of participants and, in exceptional cases, if it is considered that extending the deadline would contribute to reaching an agreement.***

Or. en

Justification

Without affecting the system, in exceptional cases more flexibility is needed.

Amendment 39

Proposal for a regulation Article 53

Text proposed by the Commission

Delegated acts

1. The powers to adopt the delegated acts referred to in this Regulation shall be conferred on the Commission for an indeterminate period of time.

As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

2. The delegation of powers referred to in paragraph 1 may be revoked at any time by the European Parliament or by the Council.

Amendment

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The delegation of powers referred to in Articles 2(1), 5(3), 7(3), 12(5), 16(2), 18(4), 19(2), 23(4), 25(3), 28, 29(3), 38(4), 39(2), 46(1), 46(7), 48(6), 50(3), 51(2) shall be conferred on the Commission for a period of five years from...*. The

Commission shall draw up a report in respect of the delegated powers no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

The institution which has commenced an internal procedure for deciding whether to revoke the delegation of powers shall inform the other legislator and the Commission, at least one month before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.

The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the Official Journal of the European Union.

3. The European Parliament and the Council may object to a delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by two months.

3. The delegation of powers may be revoked at any time by the European Parliament or by the Council. The decision of revocation shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or on a later date specified therein. It shall not affect the validity of any delegated acts already in force.

If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the Official Journal of the European Union and shall enter into force at the date stated therein.

The delegated act may be published in the Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament

and the Council have both informed the Commission of their intention not to raise objections.

If the European Parliament or the Council raises objections in respect of the delegated act, it shall not enter into force. The institution which has raised objections to the delegated act shall state the reasons therefore.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to this Regulation shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of adoption of that act or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

** Date of the entry into force of this Regulation*

Or. en

Justification

Adaptation of wording in accordance with the Common Understanding on practical arrangements for the use of delegated acts (Article 290 TFUE).

Amendment 40

Proposal for a regulation Article 54

Text proposed by the Commission

Implementing acts

[Where implementing acts are adopted pursuant to this Regulation, the Commission shall be assisted by the

Amendment

Committee procedure

1. The Commission shall be assisted by the Agricultural Product Quality Committee. That committee shall be a

*Agricultural Product Quality Policy
Committee and the procedure provided for
in Article [5] of Regulation (EU) No
[xxxx/yyyy] shall apply.]*

*committee within the meaning of
Regulation (EU) No 182/2011.*

*2. Where reference is made to this
paragraph, Article 5 of Regulation (EU)
No 182/2011 shall apply.*

Or. en

Justification

In accordance with the templates for provisions on implementing acts subject to control by Member States, in line with the proposed Regulation of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.

Amendment 41

**Proposal for a regulation
Annex I - point I - last dash (new)**

Text proposed by the Commission

Amendment

- leather

Or. en

Justification

Leather is also a product that can generate additional value, if allowed to be considered for PDO-PGI registration.

Amendment 42

**Proposal for a regulation
Annex I - point II - last dash (new)**

Text proposed by the Commission

Amendment

- salt

Or. en

Justification

There are traditional methods, almost artisanal, for the production of sea salt. These production methods need to be recognised under the TSG scheme.

Amendment 43

**Proposal for a regulation
Annex II**

Text proposed by the Commission

Amendment

Entire content of Annex II

deleted

Or. en

Justification

The specific provisions relating to optional reserved terms and all articles and recitals relating to these terms and to marketing standards, as well as Annex II are moved to the proposal for a Regulation on marketing standards (2010/0354 COD), so as to integrate all optional reserved terms in the Single CMO.

EXPLANATORY STATEMENT

General presentation

European agriculture delivers food of great variety, with production methods that are respectful of the environment and of rural communities. The regional diversity of food, the traditional methods of production sometimes going centuries back, the emphasis on safety and good environmental conditions lead to the fact that the quality of European food is among the highest in the world.

Farmers and consumers alike need to be made aware of these special characteristics of their home grown food. In addition, this quality oriented approach could help reward the best quality products on the domestic, as well as international markets. The EU introduced a series of labels and quality schemes under its Food Quality policy that provide recognition for the high value characteristics of the products and also for the regional specificities of the product.

The current quality schemes are: Protected designation of origin (PDO), Protected Geographical Indication (PGI), Traditional Specialty Guaranteed (TSG), Organic Farming and Outermost Regions, all with their respective logos.

Commission new proposals

Parliament's Committee of agriculture and rural development currently works on a new legislative proposal of the European Commission on quality and on marketing standards.

The Quality Package presented by the Commission aims to improve the Union legislation in the field of quality, as well as in the operation of national and private certification schemes, in order to make them simpler, more transparent and easier to understand, adaptable to innovation, and less burdensome for producers and administrations.

The Commission has presented this set of legislative proposals last December, following an extensive public consultation process launched by the publication of the Green Paper on quality in 2009. The package includes two proposals for regulations - one on agricultural product quality schemes and one on marketing standards - as well as two guideline documents, one on certification schemes and one on labelling of products using PDO-PGI ingredients. The proposals are extensive and include many of the points demanded by Parliament in our own initiative report drafted by Giancarlo Scottà MEP. In addition to the points of substance, it is also important to note the provisions regarding delegated and implementing acts which bear an important significance for how policy making will be conducted in practice in the years to come.

Rapporteur proposals

Your rapporteur believes as a general remark that among our priorities should be the simplification and development of the current schemes, as well as the addition of new quality terms, that are likely to create value for the best European products. Whereas the Commission proposal constitutes a good and laudable departure point, your rapporteur believes greater

clarity and a more comprehensive European quality system may be achieved.

In preparing the draft report, the rapporteur has consulted extensively with colleagues and shadow rapporteurs, discussed the legislative proposals in the Committee on two separate occasions and hosted a workshop with experts on the policy. Further, regular consultations and clarification were asked from the Commission; also, the rapporteur held numerous meetings with the industry, stakeholders and national and European institutions involved.

All throughout the text, your rapporteur has tried to achieve greater clarification and simplification, where this was needed. One important point in this sense was the provision of clearer definitions that render the text more comprehensive for both producers and consumers. Also, in some cases, greater legal certainty was needed. In the following, your rapporteur presents the changes proposed to each title of the regulation.

Title I

- The quality system of traditional specialties guaranteed should also be applied to non-processed products, as there are traditional methods of crop and livestock production that are not limited to a specific geographic area and result in products with features that give added value or attributes that add value due to agricultural techniques and therefore fit perfectly the object of the proposal as outlined in Article 1, paragraph 2, points a and b.
- Moreover, taking into account the definition of "processing" that is set in Regulation (EC) No 852/2004 of the European Parliament and the Council of 29 April 2004 on the hygiene of foodstuffs there are still cases in which it is not clear whether the product is processed or not, because we have to assess whether the treatment "significantly alters" or not the initial product. In this regard, requesting the inclusion of salt in the scope of quality system of traditional specialties guaranteed.
- A definition for what is meant under 'production steps'

Title II

- We propose to include the definition of 'production steps' also in Article 3, as this provides to greater clarity, also when we speak for example of 'production steps' in 5.1. b) (iii);
- In relation to Article 6, we propose an alternative wording because if treatment is identical to food products and wines in regard to the application by the Commission of the EU obligations arising from the TRIPS agreement, this should likewise be extended to food products, all aspects related to the additional protection afforded to wines in the agreement.
- In Article 7, paragraph 1, letter b), we suggest to maintain 'microbiological *or* organoleptic', as is the case at present;
- In relation to Article 12, paragraph 3, your rapporteur believes the European **symbols**

designed and adopted to represent the PDO and PGI should be clearly indicated on the label. On the other hand, your rapporteur believes that only those products may carry the EU logo and the indications that go through the same registration procedure, on the same terms as products originating in the Single Market, rather than via bilateral agreements.

Title III

- Here, we seek to achieve consistency with the other amendments that depart from the limitation to processed foods only; also, we believe in the case of TSG, this limitation is not needed;

Title IV

- Your rapporteur believes **optional reserved terms (comprised in Annex II)** should remain in the Single CMO and therefore should be included in the Regulation on marketing standards, as it better reflects the nature of these optional policy instruments. At the same time, a legal basis for **optional quality terms** that the Commission may put forward in the future is needed. Thus, the rapporteur believes such a legal basis should be kept. As first such optional quality term, your rapporteur propose the 'products of mountain farming';
- Your rapporteur believes a scheme for **products of mountain farming** should be introduced. Following extensive consultations, it became clear that this scheme is not only desired by the sector, but also the clear added value it would result for the consumer and the value of the products was established.
- Also, we hope the Commission will analyze and will be able to present soon proposals for new optional quality terms, such as 'island', 'Arctic' products. We further request further consideration within the proposed regulation of voluntary labelling system for beef.

Title V

- As regards the **role of producer groups** in the PDO and PGI schemes, your rapporteur is in favour of the Commission proposals and wishes to see these put in place at the soonest. Moreover, your rapporteur believes the conditions for a further strengthening of the role played by the groups are met. Thus, I propose that in carefully limited and controlled situations a role for establishing production management measures be granted to producer groups, under the tight supervision of Member States and the Commission. This is because it has been demonstrated that such systems may lead to greater stability for producers of PDO and PGI high value products and avoid extreme price volatility in this sector.
- As regards the application of the guidelines (on voluntary certification schemes and the use of PDOs/PGIs as ingredients, we demand that the Commission report to the legislator 3 years following the entry into force of this Regulation on the possibility to

introduce mandatory legislation in this field;

- Your rapporteur also makes clarifications with regards to procedures for **opposition**, by creating a possibility for the extension of the time foreseen, when it is likely that an agreement will be reached;

Annexes

- Your rapporteur proposes that additional products are included in the annexes that include the products that can benefit from PDO, PGI and TSG protection.
- Annex II (currently the optional reserved terms) shall be moved to the Regulation on marketing standards.

Alignment

With regards to alignment, your rapporteur believes a balance should be achieved between the need for the Commission to act efficiently and expediently on one hand and the powers Parliament and Council have under the Lisbon Treaty with regards to the legislative process. Your rapporteur is generally in favour of most proposals for delegated or implementing acts and believes the Commission has made a balanced proposal in this regard.