

ANALYSIS OF THE OUTCOMES OF THE EP PLENARY VOTE ON THE CAP POST 2020 AND REVISION OF REGULATION 1151/12 ON QUALITY SCHEMES

Previous AREPO analysis and position paper can be found here: [CAP post 2020 \(I\)](#); [CAP post 2020 \(II\)](#).

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INTRODUCTION

On June 1st 2018, the European Commission published the [legislative proposals](#) for the following three regulations in order to start the legislative process for the future Common Agricultural Policy (CAP):

1. **CAP Strategic Plans** (direct payments, rural development and sectoral support programmes);
2. **Horizontal Regulation** (financing, management and monitoring); and
3. **Amending Regulation** (amendments to CMO Reg. 1308/13, Reg. 1151/12 on quality schemes for agricultural products and foodstuffs, Reg. 251/14 on GIs for aromatized wine, among other).

In September 2018, the Committee on Agriculture and Rural Development of the European Parliament (EP) started working actively on its position and finally voted two of the three reports on April 1st and 2nd, 2019: [Amending Regulation, 2018/0218\(COD\)](#) and [CAP Strategic Plans, 2018/0216\(COD\)](#).

The texts approved by AGRI Committee were not submitted to vote in plenary during the last parliamentary term. Following 2019 European elections, the new AGRI Committee of the EP took office, resuming the work on the CAP post-2020 on the basis of what was approved in April 2019. Thus, on one hand new MEPs had the opportunity to contribute to the draft reports, while on the other previous achievements have been safeguarded.

In **collaboration with oriGIn**, AREPO developed and adopted a **common position and lobbying strategy on the CAP** to jointly defend Geographical Indications at EU level. In line with the positions and analyses of our two associations, amendments have been proposed to strengthen the position of GIs in rural development and sectoral interventions and their protection in the relevant regulations (click here to find the text in [EN](#), [ES](#), [FR](#)).

On 23 October 2020, the European Parliament has voted in plenary the three legislative texts concerning CAP, thus approving its position on the topic ahead of the trilogues with the Council.

The following analysis will deal with the EP final position on **CAP Strategic Plans** and **CMO Amending Regulation**, as approved by the vote in plenary on 23 October 2020. In particular, it will focus on the approved amendments concerning the **GIs system**, in order **to provide an overview of the relevant provisions as well as to lay stress on the main achievements of AREPO and oriGIn strategy**.

To conclude, a short section will tackle those requests rejected from the final EP position.

OBJECTIVES ACHIEVED BY AREPO & ORIGIN COMMON STRATEGY

1. CAP STRATEGIC PLANS

IN RURAL DEVELOPMENT QUALITY SCHEMES ARE INCLUDED IN “COOPERATION” TYPE OF MEASURE

Within the framework of the CAP Strategic Plans, as voted by the European Parliament, Member States may choose to support **quality schemes under the “cooperation” type of intervention**.

AREPO and OriGIn strategy focused on clarifying and defining the possible actions on GIs permitted under this type of measure. As a result, the approved text:

1. **clarifies that** under cooperation type of measure **it is possible to** implement measure both to **promote and setting-up of quality schemes;**
2. **reintroduces the support for certification costs** under “cooperation” type of measure;
3. **clarifies that producer groups as defined by article 45 in Regulation 1151/12 can be beneficiaries** of measures to promote quality schemes as well as other forms of support for cooperation/collective organization, under “cooperation” type of measure;
4. **includes a sub-thematic program for quality schemes for agricultural products:** a horizontal programme using different measures to support quality schemes for agricultural products and foodstuffs could help address simultaneously specific local needs (see for instance current sub-thematic program for young farmers, small supply chains and mountain areas in Art. 7, Reg. (EU) No 1305/2013).

2. CMO AMENDING REGULATION

NEW OPPORTUNITIES FOR QUALITY SCHEMES IN CMO REGULATION

The position of the EP includes new elements to the CMO Regulation with the objective to **strengthen market regulation and crisis management.**

Focusing on GIs, the most relevant amendment to the CMO Regulation is the **extension of the instrument of supply regulation** (already existing for PDO/PGI cheese, ham and wine) **to all PDO and PGI products** (article 166a).

This is a positive development for sectors that were not covered so far and this was requested by several AREPO producer representatives. By introducing a new article, the flexibilities and specificities currently given to cheese and ham producers remain untouched by the amendment.

Furthermore, MEPs have strengthened collective management tools by giving more competences to **interbranch organisations** and by extending the mechanisms for **value sharing between farmers.** As far as PDO/PGI products are concerned, interbranch organisations recognised under Article 157 may adopt rules on value sharing between operators at the different stages of production and, where appropriate, of processing and marketing. They may also request an extension of these rules, as long as it is proportionate to the objective pursued and it does not entail the fixing of prices of the final products sold to consumers, distorts competition and create an excessive imbalance between the different stages of the value chain of the sector in question (art. 172 b).

SIMPLIFICATION OF GIS SYSTEM

Concerning the simplification of GIS system, all AREPO & oriGIn requests have been included and MEPs have enhanced the Commission legislative proposal. Particularly, the text approved by the EP:

1. **Reintroduces the human factor as a mandatory feature for defining a PDO,** both for wine and foodstuffs;
2. **Aligns the definition** of designation of origin and geographical indication **with that given at international level in the Lisbon Agreement.** In addition, **the definition of geographical indication is harmonised with the definition of designation of origin,** clarifying the position of PGI whose name is not linked to the name of the region;
3. **Cancels the separation** of the assessment of compliance with **intellectual property rules** from the assessment of compliance of the **product specifications.** EU quality policy is more than a simple GI protection mechanism as they constitute an important tool for rural development. Product specifications include essential elements which do not concern exclusively IPRs, but also production processes, labelling, oenological practices etc.

4. **Extends the scope of protection for all GI products**, including goods in transit and sold through means of electronic commerce, namely:
 - Protection against the **abuse of their reputation**;
 - **Protection of domain name** which may cause confusion, in whole or in part, with a protected name;
5. Reintroduces, for agricultural products and foodstuffs, the requirement that PDO and PGI **product specifications** contain *“evidence of traceability proving that the product originates in the defined geographical area”*. Hence, product specifications **must display traceability elements** allowing to certify that the product comes from the geographical area they mention. On product specification the position of the Parliament went beyond our requests, specifying that the product specifications shall include at least a description of the method of obtaining the product and, where appropriate, **its contribution to sustainable development**;
6. Strengthens the system for GI wine protection, where the wine is used as ingredient in a food product. This type of provision already exists in Regulation 1151/2012 on quality systems for agricultural products and foodstuffs;
7. Assures the **maintenance of the European and common nature of the Geographical Indication system within the simplification of the procedure for approval of amendments to product specifications**. The adoption of **guidelines setting out criteria and a common methodology** for the application of and compliance with the administrative processing of amendments to product specifications, both Union and normal, will allow a the PDO/PGI concept to be applied in a consistent manner throughout the EU and that a level playing field between the different Member States is ensured.

REJECTED REQUESTS

A LOST OPPORTUNITY FOR QUALITY SCHEMES IN SECTORAL INTERVENTIONS IN CAP STRATEGIC PLANS

Producer groups as recognised by the Regulation 1151/12 are still excluded as beneficiaries of operational programmes. Our amendments on this issue had the objective **to extend the right to implement interventions in “other sectors” to GIs producer groups as recognised by the Regulation 1151/12.**