



**COUNCIL OF  
THE EUROPEAN UNION**

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From: General Secretariat

To: Delegations

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Subject: Proposal for a Regulation of the European Parliament and of the Council  
establishing a common organisation of the markets in agricultural products  
(Single CMO Regulation) (*CAP Reform*)  
- *Presidency questionnaire*

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With a view to structure the debate in Council ("Agriculture and Fisheries") at its session on  
22 -23 October 2012, delegations will find in Annex the questionnaire drawn up by the Presidency.

## CAP REFORM: SINGLE CMO

### Presidency questionnaire

#### **I. Compulsory recognition of Producer Organisations, Associations of Producer Organisations and Inter-branch Organisations by Member States authorities**

With a view to strengthening the bargaining power of farmers and the functioning of the food supply chain, the Commission proposes to require Member State authorities to recognise all producer organisations, associations of producer organisations and inter-branch organisations in all sectors.

The Progress Report<sup>1</sup> drawn up under the Danish Presidency notes that a majority of delegations oppose the Commission proposal, while several other delegations support the proposal.

In this context and bearing in mind the status quo, the Presidency invites Ministers to give their views on the following:

#### **Question 1**

Do you agree that strengthening the position of producers in the food chain is an important objective of the new CAP?

#### **Question 2**

If your answer to question 1 is yes, would you consider it is justifiable to give priority in terms of strengthened recognition only to the sectors covered by the status quo?

#### **Question 3**

For which sector or sectors, if any, would you have a justifiable objection to accept official recognition and, alternatively, which sector or sectors should be given priority for strengthened recognition?

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<sup>1</sup> Doc 8949/12.

## II. Competition rules

With a view to enabling farmers and producers to strengthen their bargaining power by combining their efforts in the production and marketing of their produce, the Commission proposal includes a special approach to the application of competition rules (Article 101(1) TFEU).

The Progress report drawn up under the Danish Presidency notes that this proposed balance between application and exemption of competition rules is supported by most delegations.

However, the Progress Report also notes that some delegations consider that the requirement that producer organisations recognised by Member States should not hold a dominant position is too broad.

In this context the Presidency invites Ministers to address the following:

### **Question 4**

Bearing in mind the objective to strengthen cooperation among producers and their position in the food chain as well as fostering competitiveness and market orientation, what is more appropriate: to require that they should not hold a dominant position on the market or, alternatively, that they should not abuse this dominant position?

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