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'A' ITEM NOTE

From:	General Secretariat
To:	Council
No. prev. doc.:	10430/17
Subject:	EU particular status in the International Organisation of Vine and Wine (OIV) - <i>Approval of a letter</i>

1. On 1 October 2015, the Council authorised the Commission to launch exploratory talks with the OIV with a view to obtaining a particular status for the Union, in accordance with Article 4 of the OIV's Rules of Procedure.¹
2. On 30 November 2016, the Commission submitted to the Council a Communication on reaching an agreement conferring special status on the European Union within the OIV.² The Annex to that Communication contained the final version of a draft exchange of letters between the Commission and the OIV's Director-General accompanied by the special arrangement defining the specific conditions of collaboration.
3. On 13 March 2017, the Special Committee on Agriculture examined that Communication.³

¹ 12434/15 and 12270/15.

² 15049/1/16 REV1 + ADD1.

³ 7250/17.

4. On 10 July 2017, the Special Committee on Agriculture decided to invite the Council to authorise the Commission to submit, on behalf of the EU, to the OIV the Commission's letter requesting the particular status accompanied by the special arrangement as set out in the Annex to this note:
- (i) **subject to** the Commission submitting to the Council, sufficiently in advance before the matter is included on the agenda of the OIV's General Assembly for decision, a proposal, based on Article 218(9) TFEU, for a Council decision establishing the position to be adopted on the Union's behalf with regard to the decision of the General Assembly of the OIV to grant the European Union a particular status under the terms of a special arrangement between the OIV and the European Union, since the obtaining of such special status has legal effects; and
 - (ii) it being understood that the decision of the OIV's General Assembly granting such status referred to in (i) will be transmitted by the Director-General of the OIV to the EU confirming the date as of which the EU's special status within the OIV becomes applicable.
5. Therefore, the Special Committee on Agriculture invites the Council to approve the letter requesting the particular status accompanied by the special arrangement as set out in the Annex to this note, subject to the condition specified in point (i) of paragraph 4, as an "A" item at its meeting on 17-18 July 2017.
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LETTER FROM THE EUROPEAN UNION

Dear Sir/Madam,

Since the creation of the International Vine and Wine Office, replaced in 2001 by the International Organisation of Vine and Wine (OIV), several Member States of the European Union (EU) have participated in the activities of the OIV. In particular, with the other members of the OIV, they have drawn up recommendations on oenological practices, definitions and descriptions of products and methods for analysing and assessing vine products. Since April 1962, the EU has had in place a common organisation of the market in wine. Rules on oenological practices, methods of analysis and specifications of substances used in oenological practices are laid down in EU legislation.

EU legislation on oenological practices takes into account the recommendations of the OIV on oenological practices and methods of analysis. Similarly, the methods of analysis established at EU level are based on the methods recommended and published by the OIV, and the OIV's substance specifications are directly incorporated into EU legislation. OIV recommendations thus acquire great practical importance, because the majority of the world's wine producers are located in EU member states. Like the OIV, the EU contributes actively to the international harmonisation of existing practices and standards in the wine sector. Other issues covered by the OIV, such as wine labelling, spirit drinks, aromatised wine products, grapes, and wine statistics are also issues that fall within the EU's competence.

It is in the mutual interest of the OIV and the EU that the EU be fully informed of the discussions around the formulation of new OIV resolutions. A more active participation of the EU in the work of the OIV will facilitate the establishment of EU positions with regard to the OIV's draft recommendations and the future development of EU rules in line with OIV standards. This participation will reinforce the respective contributions of the OIV and the EU to the international harmonisation of practices and standards related to vine and wine. Furthermore, in order to ensure transparency concerning the status of the EU in the OIV, in particular vis-à-vis OIV members, a clear definition of the modalities and scope of the EU's participation in the OIV is needed.

It is for these reasons that I propose that, on request of the EU, the special status provided for in Article 4 of the OIV's rules of procedure be granted to the EU under the terms of the special arrangement attached to this letter following the relevant decision of the General Assembly of the OIV, with effect from the date of your response to this letter. The European Commission will represent the EU under this arrangement, in accordance with Article 17 of the Treaty on European Union.

This exchange of letters is restricted to the provisions necessary for conferring the special status upon the EU. It does not create rights or obligations under international law in addition to these provisions.

Faithfully,

Phil Hogan, Member of the European Commission

**Special arrangement related to the particular status of the European Union within the
International Organisation for Vine and Wine.**

1. AREAS OF COOPERATION

The International Organisation of Vine and Wine (OIV) and the European Union (EU) have common objectives related to vine and wine. They both contribute to the harmonisation of practices and standards - on an international and EU level - to facilitate the production and marketing of vine and wine products. In particular, the OIV adopts and publishes resolutions related to vine and wine and it assists other international organisations in their standardisation activities. The activities of the EU in areas covered by the OIV include rules on the definition, production and marketing of wines, aromatised wine products, wine spirits, grape juices and table grapes.

2. SPECIFIC COLLABORATION CONDITIONS

The EU, represented by the European Commission, may take part in the work of OIV committees, sub-committees and expert groups. When appropriate, in these meetings the representative of the European Commission will explain the EU legislation that may exist in the area in question, and the EU's specific interest in the matters discussed.

The representative of the European Commission may attend meetings of the General Assembly and the Executive Committee. Upon request, and in accordance with the OIV's rules of procedure, the representative of the European Commission may inform these bodies of EU positions on agenda matters which are of direct relevance to the EU.

The European Commission will regularly invite the OIV to exchange information and discuss issues of mutual interest for the OIV and the EU.

The OIV will send to the European Commission (via the mailbox AGRI-OIV@ec.europa.eu), at the same time as to all the members of the OIV, all relevant documents including draft resolutions which may be submitted for vote to the General Assembly. To ensure that, where applicable, EU positions can be established in due time, the OIV will send draft resolutions as soon as possible before the General Assembly where they will be presented for vote.

The European Commission will send the OIV all relevant documents relating to the adoption of new EU legal acts of direct relevance to the OIV when the documents are made public.

The OIV notes the fact that the EU will make an annual financial contribution of €140.000.
