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SUMMARY RECORD
SPECIAL COMMITTEE ON AGRICULTURE
10 December 2018

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1. Adoption of the agenda

The agenda was adopted.

Non-discussion items (I)

2. Summary record of the 1585th meeting of the SCA

15192/18

The SCA approved the summary record.

Discussion items (II)

3. Directive on unfair trading practices in the food supply chain

Presidency briefing on the outcome of the trilogue

The SCA took note of the Presidency briefing on the outcome of the trilogue on 6 December. Regarding the pending issue of the scope of operators, the Commission explained that according to Article 8 of the Directive, Member States can provide for further categories at national level.

4. Regulation on spirit drinks



15168/18

Confirmation of the final compromise text with a view to agreement

The SCA:

- noted the existence of a qualified majority (with EL announcing its intention to vote against and HU its intention to abstain) in favour of approving the final compromise text contained in document 15168/18, as well as the statements from the Commission and from some delegations¹;
- on that basis, authorised the Presidency to send a letter to the Chair of the European Parliament's ENVI Committee confirming that, if the European Parliament adopts at first reading the amendments as negotiated, subject to the outcome of the WTO notification procedure and to the revision by the lawyer-linguists of both institutions, the Council would accept them.

¹ See statements in Annex.

5. **Post 2020 CAP reform package**   15027/18

- a) **Regulation on CAP Strategic Plans**
- b) **Regulation on Financing, management and monitoring of the CAP**
- c) **Regulation on common market organisation (CMO) of agricultural products**

Presidency Progress report

The SCA took note of the Presidency's Progress Report on the examination of the CAP post-2020 reform proposals, as set out in doc. 15027/18.

It will be submitted to the 17 - 18 December "Agriculture and Fisheries" Council session.

Any other business

6. **Regulation amending Regulations (EU) No 1305/2013 and (EU) No 1307/2013 as regards certain rules on direct payments and support for rural development in respect of the years 2019 and 2020**   15344/18

Information from the Commission

The SCA took note of the presentation by the Commission of a proposal amending certain rules on direct payments and rural development support in 2019 and 2020 and of delegations' comments.

7. **Organisation of future work**

The Presidency informed the SCA on the "Agriculture and Fisheries" Council meeting on 17 and 18 December 2018. The Council meeting on 17 December could be preceded by an additional SCA meeting starting at 08.30, in case it is needed for confirmation of the outcome of the possible trilogue on 12 December on UTPs.

The incoming Romanian Presidency informed the SCA on the SCA meeting on 14 January 2019 and confirmed SCA meeting dates for January 2019.

 First reading

 Item based on a Commission proposal

STATEMENTS REGARDING THE REGULATION ON SPIRIT DRINKS**1. Statement from the Commission on the unbundling clause**

"The Commission recalls that point 31 of the Interinstitutional Agreement on Better Law-making provides that empowerments may be bundled on condition that the Commission provides objective justifications based on the substantive link between two or more empowerments contained in a single legislative act, and unless the legislative act provides otherwise. The Commission notes that the co-legislators have agreed to exclude bundling of empowerments in the present case, which may cause additional administrative burden and make it less easy for those affected by the legal framework to have access to a simple and comprehensive set of legal instruments. The Commission considers that this cannot be seen as creating a precedent for other ongoing legislative negotiations."

2. Statement from the Commission on labelling

"The Commission declares that, should the empowerments provided for in Articles 16(2) and 46(2) be used, careful consideration will be given in particular to transparency of information for consumers for all spirit drinks placed on the market in the European Union."

3. Statement from Spain regarding the statement from the Commission on labelling

"Spain wants to point out that the Commission's statement generates discriminatory treatment for *brandy* elaborated through the *soleras and criaderas* system, and considers that transparency for consumers should affect all spirit drinks equally. In view of the above, we categorically reject the Commission's calling into question this production system and the products obtained from it."

4. Statement from Portugal regarding the statement from the Commission on labelling

"Portugal considers that the Commission's declaration is superfluous because labelling rules governing spirit drinks, including brandy obtained through the *solera e criaderas* method, comply, by default, with the rules in force with a view to transparency and better information to the consumer."

5. Statement from Germany, supported by Denmark and Finland, on hydrocyanic acid and ethyl carbamate

"The German Delegation expects that the European Commission will re-examine, after consultation of the EFSA, the admissible contents of hydrocyanic acid and ethyl carbamate in stone-fruit spirits and stone-fruit marc spirits and, if needed, will propose measures in order to guarantee a high level of consumer protection."