



Council of the
European Union

Brussels, 20 June 2023
(OR. en)

10784/23

Interinstitutional Files:

2022/0192(COD)
2022/0089(COD)
2022/0390(COD)

AGRI 330
AGRIFIN 68
AGRILEG 107
AGRIORG 70
AGRISTR 34
CODEC 1158

NOTE

From: General Secretariat of the Council
To: Council

Subject: Current legislative proposals - state of play

- a) Regulation on geographical indications
- b) Conversion of the Farm Accountancy Data Network (FADN) to a Farm Sustainability Data Network (FSDN)
- c) Regulation on the labelling of organic pet food

- *Information from the Presidency*

With a view to the meeting of the Council (Agriculture and Fisheries) on 26 and 27 June 2023, the annex to this note summarises the state of play of discussions on the three above-mentioned files

a) Regulation on Geographical Indications**Introduction**

1. On 31 March 2022, the Commission published a proposal revising the current EU legislation on geographical indications (GIs) for wines, spirit drinks and agricultural products, as well as quality schemes for agricultural products (7639/22 REV 1 + ADD 1-3). It aims in particular to strengthen the Union system of GIs, to promote the use of GIs across the Union, and to shorten the time needed to register new GIs. The proposal also seeks to harmonise legislation on:
 - the procedure for registering, amending or cancelling a geographical indication, for all three sectors;
 - the protection of GIs, for the three sectors;
 - control in the agricultural products and spirit drinks sectors.
2. Under the successive French, Czech and Swedish Presidencies, the Working Party on Horizontal Agricultural Questions (Geographical Indications and Designations of Origin) (WP HAQ(GI)) and the Special Committee on Agriculture (SCA) discussed the Commission proposal intensively. The Czech and Swedish Presidencies also aligned step by step the proposal to Member States' views with a view to preparing the ground for agreeing a Council negotiating position.
3. On 8 May 2023, the SCA approved a compromise text of the Swedish Presidency as the Council's negotiating mandate, published as 8598/23 REV2. On 1 June 2023, the European Parliament voted its negotiating position.
4. On 6 June 2023, the negotiations with the European Parliament were launched at a first trilogue, followed by several technical meetings in the weeks after.

State of play

5. Under the Swedish Presidency, the WP HAQ(GI) discussed the Commission proposal on ten days (12 January, 2 and 3 February, 23 February, 8 and 9 March, 28 and 29 March as well as 19 and 20 April). It accomplished a first read-through of the entire proposal early February 2023 and examined the successive drafting suggestions that the Presidency aligned step by step to Member States' views, taking into account also comments sent in writing.
6. The SCA addressed this file twice: on 20 February, to exchange views on a possible transfer of tasks to the EU intellectual property office (EUIPO) and on 8 May to grant the Presidency a negotiating mandate.
7. At the first trilogue on 6 June, the representatives of the three institutions presented their positions on this file and mandated the experts to launch their work.
8. Among the key elements of the Council's position, the Presidency mentioned:
 - the deletion of the proposed transfer of tasks to EUIPO;
 - the possibility for a producer of a processed product to use the name of an ingredient designated by a geographical indication in the name of its processed product under the conditions set out in the Commission existing guidelines, with the obligation for producers of prepacked food to notify recognised producer groups where they exist;
 - the redrafting of Articles 32 and 33 to allow those Member States that have national rules on producer groups and recognised producer groups to maintain the existing systems while leaving to other Member States the choice to establish a recognition system as well;
 - the obligation for country-code top-level domain name registries to recognise registered geographical indications as a right that can be invoked in alternative dispute resolution procedures.
9. Interinstitutional technical meetings took place on 13, 14, 26 and 27 June and focused on the technical aspects of the Regulation.

Outlook

10. Under the Swedish Presidency, significant progress has been made on the proposed Regulation on GIs and quality schemes: the Council agreed its negotiating position and the Presidency, together with the representatives of the European Parliament and the Commission, and in close coordination with the incoming Spanish Presidency, have started the trilogue discussions.
11. Building on the work done, the Swedish Presidency has full trust in the incoming Spanish Presidency to conclude the discussions with the European Parliament on this file.

b) Farm Sustainability Data Network (FSDN)

Introduction

12. The Commission adopted on 22 June 2022 a proposal to convert the Farm Accountancy Data Network ('FADN') into a Farm Sustainability Data Network ('FSDN'), as specified in the Farm to Fork initiative. As such, the current basic Regulation 1217/2009 relative to FADN will be amended in order to allow the collection of environmental and social data related to farms. The amended regulation will be complemented by secondary legislation.
13. The Commission proposes to adapt the basic regulation FADN in order to enable the collection of the data necessary to underpin the new EU objectives of the CAP and of the Green Deal and its Farm to Fork and biodiversity strategies. The regulation is being amended with a view to collecting farm level data on the sustainability of farm practices, in addition to the microeconomic and accountancy data already collected.
14. The discussions on the proposal from the Commission started in September 2022, under the Czech Presidency in the AGRIFIN Working Party, while the drafting sessions started in November 2022. In total, 15 drafting sessions took place (2 under the Czech and 13 under the Swedish Presidency).
15. The proposal was first presented to the SCA in July 2022 and was again on the SCA agenda on 13 March, 15 May and 19 June 2023.

State of play

16. On 15 May 2023, the SCA approved the compromise text of the Swedish Presidency as the Council's negotiating mandate.
17. On 30 March 2023, the European Parliament voted its negotiating position. On 7 June 2023, the first trilogue took place, while the technical meetings started on 24 May 2023 with four technical meetings having taken place to date (24, 25 May, 2 and 16 June).
18. One more technical meeting and one trilogue are still scheduled under the Swedish Presidency on 27 June for the technical meeting and 29 June for the trilogue.
19. During the technical discussions and first trilogue, the discussions focussed on a number of points : the empowerments for the Commission related to data collection, the voluntary nature of the participation in surveys, financial aspects, data protection aspects and linkage of data from different sources at EU level and the no-opinion clause.

Outlook

20. Significant progress has been made on the FSDN file under the Swedish Presidency (adoption of the Council's mandate and starting the trilogues with the EP) but whether or not the current Presidency will be able to close this file is still difficult to predict.
21. In any eventuality, even if a political agreement will be reached under the Swedish Presidency, some work at technical level for the finalisation of the file will still need to be done under the Spanish Presidency.

c) **Regulation on the labelling of organic pet food**

22. During a trilogue on 6 June 2023, the Council and the European Parliament reached an agreement regarding the Commission's proposal for updated rules on labelling of organic pet food, adopted by the Commission on 28 November 2022. The agreed text, still to be revised by the lawyer-linguists, is available in document 10273/23. The European Parliament is expected to approve the text during the September plenary, and the formal adoption by the Council is foreseen for the AGRIFISH in October 2023, as an I/A-point.
23. From 1 January 2022, the date of application of Regulation (EU) 2018/848 on production and labelling of organic products, pet food could be labelled as organic only if all agricultural ingredients were organic. The new rules will allow for pet food to be labelled as organic if at least 95% of the agricultural ingredients are organic, mirroring the rules for food, and will also make the organic production logo of the EU mandatory for prepacked pet food labelled as organic. The rules will therefore facilitate the production of organic pet food, and make it easier for pet owners to identify organic pet food in the store.

