



Council of the
European Union

064479/EU XXVII. GP
Eingelangt am 10/06/21

Brussels, 10 June 2021
(OR. en)

9542/21
CRS CSA 14

SUMMARY RECORD
SPECIAL COMMITTEE ON AGRICULTURE
7 June 2021

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1. **Adoption of the agenda**

9437/2/21 REV 2

The agenda was adopted.

Non-discussion items (I)

2. **Summary record of the 1647th meeting of the SCA**

9306/21

The SCA approved the summary record.

3. **Council Decision authorising the opening of negotiations on agreements on trade in organic products between the European Union and Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, New Zealand, the Republic of Korea, Tunisia and the United States of America**



9218/1/21 REV 1
+ ADD 1

Adoption

The SCA agreed to invite the Council to adopt the Decision, as an "A" item, at a forthcoming meeting, and took note of the request made by the Commission to include a statement¹ in the summary record of the meeting.

Discussion items (II)

4. **Post 2020 CAP reform package**



- 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**

Exchange of views

The SCA exchanged views on:

- the key outstanding issues of the CAP Strategic Plans Regulation on the basis of the Presidency notes set out in WK 7368/2021 and its ADD1;
- the few outstanding political issues regarding the Horizontal Regulation on the basis of the Presidency note in document WK 7369/2021; and

¹ See the Annex to this summary record.

- the key outstanding issues regarding the CMO Regulation on the basis of the Presidency notes WK 7370/2021, and WK 6866/2021 REV 2.

The Presidency will take into account the outcome of this meeting for the continuation of the negotiations with the Parliament.

5. OIV - EU position to be taken at the 19th OIV General Assembly (12 July 2021)

9190/21 + ADD 1
9193/21
9192/21

a) Council Decision on the position to be taken on behalf of the European Union in the International Organisation of Vine and Wine (OIV)



Adoption

b) Union position on Draft resolutions of EU competence that would not have legal effects for the EU legal order

Approval

The SCA:

- confirmed the Union position reached by consensus in the Working Party on the 5 draft resolutions of Union competence that will not have legal effects if adopted by the OIV, by taking note of point (b) of Section II of the report in doc. 9192/21;
- considered the draft Council Decision contained in doc. 9193/21 and invited the Council:
 - to adopt it at its next meeting on 28 June, under “A” items, after revision of the text by lawyer-linguists; and
 - to inform the European Parliament of its Decision in accordance with Article 218(10) of the Treaty.

The SCA took note of the parliamentary scrutiny reservation entered by France.

Any other business

6. a) Fourth AU-EU Agriculture Ministerial Conference scheduled for 22 June 2021 (virtual)

9187/1/21 REV1

Information from the Commission

The SCA took note of the information provided by the Commission representative on the above Ministerial Conference and also noted the information provided by the Presidency.

b) Meeting of the Council (Agriculture and Fisheries) on 28-29 June 2021: Setting of the agenda (For the items in the remit of the Special Committee on Agriculture)

WK 7333/2021

The Presidency presented the SCA items foreseen for the "Agriculture and Fisheries" Council meeting to be held on 28-29 June 2021.

The SCA took note of the information provided by the Presidency regarding the setting of that "Agriculture and Fisheries" Council meeting's agenda.

c) Organisation of future work

The Presidency informed the SCA on:

- the next SCA meetings on 14 (in Lisbon) and 21 June 2021;
- the informal meeting of the Ministers of Agriculture to be held in Lisbon on 15 June 2021; and
- the dates of the next trilogues for the CAP Reform.

1 First reading

C Item based on a Commission proposal

Ad item 3:

Council Decision authorising the opening of negotiations on agreements on trade in organic products between the European Union and Argentina, Australia, Canada, Costa Rica, India, Israel, Japan, New Zealand, the Republic of Korea, Tunisia and the United States of America
Adoption

STATEMENT BY THE COMMISSION

The Commission considers it legally incorrect that a Council Decision authorising the opening of negotiations indicates a substantive legal basis. The Decision authorising the opening of negotiations is premised solely on the existence of conferred powers of the Union and not on a determination of a specific competence. Its effect is limited to authorising the Commission or the High Representative, as the case may be, to use its prerogatives under the EU Treaties in order to start negotiations. The scope of these negotiations is therefore determined by the scope of the powers of the Union. Besides, the freedom of the envisaged treaty partner of the Union as regards the determination of the scope of the negotiations cannot be limited by the Council Decision authorising the opening of the negotiations. Thus, the precise legal basis for the future agreement can only be determined after the content of the agreement is known. The Commission reserves all its rights in this regard.
