



EUROPEAN COMMISSION  
Secretariat-General

Directorate D - Policy Co-ordination I  
SG.D.3-Resource Efficiency

Brussels, 1 June 2017

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**NOTE TO MEMBERS OF THE COMMISSION**

**Subject: Meeting of the Special Committee on Agriculture (SCA)  
Brussels, 29 May 2017 - Summary record**

The penultimate SCA under Maltese Presidency confirmed the failure of the Presidency to conclude the lengthy co-decision process on the review of the Organic Farming Regulation. 17 Member States voted against the final effort of the Presidency to design a new negotiating mandate in view of the final (eighteenth) trilogue, which was then cancelled. There are several reasons for the lack of progress:

i) In the past two years, the Council's negotiating position was based on a fragile majority, which left almost no margin for manoeuvre towards the position of the EP. The starting negotiating position – the general approach of 16 June 2015 - was de facto backed by only 15 Member States (not even qualified majority). This was adopted under pressure of the Commission's 2015 Work Programme indication that it would withdraw the proposal if there was no tangible progress by the end of June 2015.

ii) The original Commission proposal was significantly redesigned by the Council into a form that is not very much different from the current legislation in place. In addition, the current rules are rather functional and at the same time allow some flexibility to Member States regarding strictness of the rules in cases when pesticides residues are detected in a product marketed as organic. For these reasons, there was very little appetite on the side of a number of Member States to concede on their interests.

iii) The key issues linked to controls and enforcement created substantive divisions amongst Member States.

*[signed]*

Further information: [redacted]

## 1. Adoption of the agenda

### I

2. **Summary record of the 1551th meeting of the SCA**  
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**II**

3. **Proposal for a Regulation of the European Parliament and of the Council on organic production and labelling of organic products, amending Regulation (EU) No XXX/XXX of the European Parliament and of the Council [Official controls Regulation] and repealing Council Regulation (EC) No 834/2007**  
= Preparation of a revised mandate

The Presidency asked the Delegations whether they could support the revised mandate based on the Presidency consolidated compromise text (doc. 8993/17) in view of the Trilogue foreseen on 31 May 2017, urging to consider the text in its entirety.

In the exchange of views that followed, 17 Delegations (EL, CZ, PL, FI, LT, HU, DK, SE, AT, CY, BG, IT, HR, SK, NL, PT, BE) expressed a opposition to the Presidency's compromise, while 8 Delegations (RO, FR, DE, SL, IE, ES, LU, LV) expressed their support (FR, DE, SL, ES, LV subject to some further amendments). The UK issued a scrutiny reservation.

The main issues (with some number of issues actually increasing) relate to the use of unauthorized substances/pesticides (EL, CZ, PL, FI, LT, DK, DE, SL, AT, SK, NL, BE) where delegations seemed divided mainly on grounds of lack of harmonisation of the proposed solutions and the obligation to take measures at national level to protect organic farming , greenhouses/use of demarcated beds (CZ, UK, PL, FI, HU, LT, DK, SE, CY, BG, HR, LV), aquaculture (EL, SL) in relation to discrimination and/or compatibility with organic principles, control provisions (CZ, FI, , NL), use of databases (CZ, PL, RO, LT, HU, DE, HR) and seeds (CZ, LT, NL, PL), the regulatory framework for unpackaged/bulk products (EL, RO, LT, HU, SE, BG, PL), and poultry houses (FR, DK, FI, DE, SE, IE).

In its response, the Commission shared its disappointment and surprise regarding the high number of reactions made by the Delegations. The Commission explained that almost all points had already been dealt with intensively before and that a certain consensus was reached. It also stressed that an organic label is not a marketing tool and highlighted the particular importance of seeds (where there is an opportunity to reach an agreement with the EP).

The PRES concluded that there is not broad support within the SCA for the Presidency's compromise and informed the SCA the Trilogue foreseen for 31 May will not be held.

*Reporting:* [REDACTED], *DG AGRI, Unit I.5 Tel.:* [REDACTED]

4. **Organisation of future work**

The Presidency informed the SCA about the next **SCA** meeting (last one under MT PRES) of **6 June** (dedicated to the Rural Development and Horizontal Regulations of the Omnibus) and the traditional SCA lunch (same day).

The Presidency also informed the SCA about the "Agriculture and Fisheries" **Council** on **12 June** 2017 in Luxemburg. SCA items will be discussed in the morning and Coreper items in the afternoon. There will be no fisheries items.

The PRES also took note of the following AOB request made by the PL delegation for the next AGRIFISH Council: introduction of formal motion to debate the Union position on agricultural negotiations in WTO process (against background of post-2020 CAP discussions).

*Reporting:* [REDACTED], *DG AGRI, Unit I.5 Tel.:* [REDACTED]