



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate D  
SG-D-3 – Resource Efficiency

Brussels, 10 November 2017

**SI(2017) 530**

**NOTE TO MEMBERS OF THE COMMISSION**

**Subject: Meeting of the Special Committee on Agriculture (SCA)  
Brussels, 6 November 2017 - Summary record**

The only item on the agenda was the discussion on the OMNIBUS proposal, based on a request from MS to discuss the next steps after the agreement on the agricultural part at the trilogue on 12 October. Against the need to enforce some provisions as from the 1<sup>st</sup> of January 2018 and the delays on the overall package, MS confirmed their agreement for the compromise reached and their support to authorize the sending of the offer letter by the SCA Chair to the COMAGRI Chair to secure a first-reading agreement (subject to the approval of the Permanent representatives committee, Part II, in the following weeks).

*[signed]*

Further information: [redacted]

1. **Adoption of the agenda**
2. **Summary record of the 1560<sup>th</sup> meeting of the SCA**  
13568/17 CRS CSA 20
3. **Proposal for a Regulation of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union and amending Regulation (EC) No 2012/2002, Regulations (EU) No 1296/2013, (EU) 1301/2013, (EU) No 1303/2013, EU No 1304/2013, (EU) No 1305/2013, (EU) No 1306/2013, (EU) No 1307/2013, (EU) No 1308/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014,(EU) No 283/2014, (EU) No 652/2014 of the European Parliament and of the Council and Decision No 541/2014/EU of the European Parliament and of the Council (Omnibus proposal) (First reading)**  
**Interinstitutional file: 2016/0282 (COD)**  
– *Confirmation of the final compromise text with a view to agreement*

The Presidency convened an extraordinary session of the SCA in order to comply with delegations' request to take all possible steps to ensure that the changes to the CAP basic acts agreed at the trilogue on 12 October can apply from 1 January 2018.

After discussions within the Council and with the European Parliament and the Commission, the Presidency announced that it had concluded that there could be a need for splitting the Omnibus proposal to make the agricultural provisions a freestanding proposal.

Therefore, the Presidency asked the delegates' confirmation of their approval of the overall compromise package, and requested their agreement in principle to authorize the sending of the offer letter by the SCA Chair to the COMAGRI Chair to secure a first-reading agreement (subject to the approval of the Permanent representatives committee, Part II, in the following weeks).

The Presidency specified that the text to be annexed to the offer letter appears in document 13819/17 and that the amendments to the CAP basic acts are identical to the revised consolidated texts circulated on 24 October, with subsequent changes being a question of form and technical drafting, not substance.

In its reaction, the Commission announced it would not act out of its own initiative, but only respond to a clear wish expressed by the legislators to have agricultural part of the proposal enter into force on 01/01/2018. The Commission also requested all three institutions to work in parallel and announced it would endeavour to come to a position as soon as possible as requested by the Presidency.

In the ensuing debate, almost all MS ( [REDACTED], [REDACTED] ) supported explicitly the Presidency's intention to obtain from COREPER II the agreement on splitting the agricultural part from the other Omnibus components with a view to adopting it as a self-standing regulation that could enter into force on 1 January 2018. [REDACTED] specified their agreement relates to the relevant text as it stands now (confirmed by the Presidency). The Presidency also confirmed the Commission explanations on control of ploughing made during the 1559th meeting of the Special Committee on Agriculture (SCA) held in Brussels on 16th October 2017 still stand today and have been recorded as annex to the official Summary Record of the meeting.

Only [REDACTED] and [REDACTED] did not yet express unambiguous views. While [REDACTED] approves the final text, it reserves its position regarding the splitting option, as this is a COREPER II prerogative. [REDACTED] announced it would abstain during the vote and leave the splitting option to the COREPER II. Also [REDACTED] confirmed it would abstain during the vote but announced it would support the split. [REDACTED] announced it supported the Presidency approach but did not want to constitute a precedent. The latter was confirmed by the Presidency.

[REDACTED] announced it has no objection in principle but reserved its final position until it was able to discuss the implementation of the new rules (and in particular the greening provisions) with the Commission services.

In its conclusion the Presidency noted that:

a) no MS was opposed to the agreement on the compromise package which received support at the SCA meeting of 16 October 2017 in the form of the free-standing regulation set out in document 13819/17;

b) the SCA confirmed its support for the next steps proposed, namely that, subject to the approval of the split by the Permanent Representatives Committee (Part II), the SCA Chair will write to the Chair of the Committee on Agriculture and Rural Development of the EP, informing him that, should the EP adopt its position at first reading, in accordance with Article 294(3) TFEU, in the form set out in that document (which would be annexed to the letter), and subject to revision by the legal linguists of both institutions, the Council would, in accordance with Article 294(4) TFEU, approve the EP's position and the act would be adopted in the wording which corresponds to the EP's position.

The Presidency also noted that the Commission is not ready yet to take a position and appealed for the Commission to ensure a position ahead of the Coreper II meeting, otherwise Art 293 TFEU would apply (unanimity within Council). Finally the Presidency requested the delegations to brief their ambassadors thoroughly ahead of the COREPER II meeting.

#### **4. Organisation of future work**

The Presidency reminded the Member States' agricultural attachés of its invitation to visit to the EIB in Luxembourg on 23/11 and requested to let them know by 12/11 if they would like to participate.

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