

Basic information	
2008/0156(CNS)	Procedure completed
CNS - Consultation procedure Regulation	
Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation	
Repealing Regulation (EC) No 479/2008 <a href="#">2007/0138(CNS)</a> Amending Regulation (EC) No 1184/2006 <a href="#">2005/0231(CNS)</a> Amending Regulation (EC) No 1234/2007 <a href="#">2006/0269(CNS)</a>	
<b>Subject</b>	
3.10.06.08 Wine, alcoholic and non-alcoholic beverages	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<span style="border: 1px solid red; padding: 2px;">AGRI</span> Agriculture and Rural Development		PARISH Neil (PPE-DE)	24/06/2008
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Agriculture and Fisheries		2944	2009-05-25
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Agriculture and Rural Development		FISCHER BOEL Mariann	

Key events				
Date	Event	Reference	Summary	
29/07/2008	Legislative proposal published	COM(2008)0489 	Summary	
10/09/2008	Vote in committee		Summary	
23/09/2008	Committee referral announced in Parliament			
25/09/2008	Committee report tabled for plenary, 1st reading/single reading	A6-0368/2008		
19/11/2008	Debate in Parliament			
20/11/2008	Decision by Parliament	T6-0559/2008	Summary	
20/11/2008	Results of vote in Parliament			
25/05/2009	Act adopted by Council after consultation of Parliament			
25/05/2009	End of procedure in Parliament			

17/06/2009	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2008/0156(CNS)
<b>Procedure type</b>	CNS - Consultation procedure
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Regulation
<b>Amendments and repeals</b>	Repealing Regulation (EC) No 479/2008 <a href="#">2007/0138(CNS)</a> Amending Regulation (EC) No 1184/2006 <a href="#">2005/0231(CNS)</a> Amending Regulation (EC) No 1234/2007 <a href="#">2006/0269(CNS)</a>
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 037 EC Treaty (after Amsterdam) EC 036
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	AGRI/6/66012

Documentation gateway				
European Parliament				
<b>Document type</b>	<b>Committee</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>
Committee draft report		PE411.930	19/08/2008	
Committee report tabled for plenary, 1st reading/single reading		A6-0368/2008	25/09/2008	
Text adopted by Parliament, 1st reading/single reading		T6-0559/2008	20/11/2008	<a href="#">Summary</a>
European Commission				
<b>Document type</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>	
Legislative proposal	COM(2008)0489 	29/07/2008	<a href="#">Summary</a>	

Additional information		
<b>Source</b>	<b>Document</b>	<b>Date</b>
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act		
Regulation 2009/0491 OJ L 154 17.06.2009, p. 0001		<a href="#">Summary</a>

## Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation

2008/0156(CNS) - 29/07/2008 - Legislative proposal

**PURPOSE:** to incorporate the wine sector, in full, into Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ("single CMO Regulation");

**PROPOSED ACT:** Council Regulation.

**BACKGROUND:** to recall, in 2007 the Council adopted Council Regulation (EC) No 1234/2007 on the establishment of a common organisation of agricultural markets and on specific provisions for certain agricultural products – the Single CMO Regulation. (See [CNS/2006/0269](#)). One of the single CMO Regulation's main objectives is to simplify the Common Agricultural Policy by replacing all of the Regulations adopted by the Council since the introduction of CAP, into one single legal act.

Simplification of CAP secondary legislation does not question policy decisions that have been taken in respect to the CAP and it does not envisage the introduction of any new instruments or measures. Thus, the CMO Regulation reflects the CAP up to the point at which the CMO Regulation was adopted.

Since the adoption of the single SMO Regulation the Council approved legislation reforming the Community's wine market. (Council Regulation (EC) No 479/2008 (see [CNS/2007/0138](#)).

**CONTENT:** the purpose of this proposal is to incorporate the wine sector, in full, into the single CMO Regulation. The incorporation of these provisions into the single CMO Regulation will follow the same approach, namely not to call into question any policy decisions taken when those provisions were adopted by the Council. The Commission is also proposing that the wine sector should be excluded from the scope of Regulation (EC) No 1184/2006 applying certain rules of competition to the production of, and trade in, agricultural products. This is because the single CMO Regulation already incorporates provisions concerning the applicability of competition rules under the Treaty.

On a final point and in order not to interfere with the ongoing 2008/2009 marketing year for wine, the proposed amendments should apply as of the start of the next marketing year for wine – i.e. as of 1 August 2009.

## Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation

2008/0156(CNS) - 20/11/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 478 votes to 63 with 18 abstentions, a legislative resolution approving, in the framework of the consultation procedure, the proposal for a Council regulation amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ("single CMO Regulation"). The report had been tabled for consideration in plenary by Neil PARISH (EPP-ED, UK), on behalf of the Committee on Agriculture and Rural Development.

## Common organisation of agricultural markets CMO: incorporation of the wine sector into the single CMO Regulation

2008/0156(CNS) - 25/05/2009 - Final act

**PURPOSE:** to incorporate the wine sector, in full, into Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation).

**LEGISLATIVE ACT:** Council Regulation (EC) No 491/2009 amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation).

**CONTENT:** in view of simplifying the regulatory environment of the common agricultural policy (CAP), [Regulation \(EC\) No 1234/2007](#) (Single CMO Regulation) repealed, and replaced by **one single legal act**, all the regulations which the Council had adopted since the introduction of the CAP in the framework of the establishment of common organisations of the markets for agricultural products or groups of products. As highlighted in the Single CMO Regulation, that act of simplification was not meant to call into question policy decisions that had been taken over the years in the CAP. It therefore did not envisage providing for any new instruments or measures. The Single CMO Regulation thus reflects the policy decisions taken up to the moment when its text was proposed by the Commission.

In parallel to the negotiations and adoption of the Single CMO Regulation, the Council also started to negotiate a policy reform in the wine sector which has now been finalised by the adoption of Council Regulation (EC) No 479/2008. Only those provisions of the wine sector which were not subject to any policy reforms were initially incorporated into the Single CMO Regulation. These substantive provisions which were subject to policy amendments were to be incorporated into the Single CMO Regulation once they had been enacted. Since such substantive provisions have now been enacted, **the wine sector should now be fully incorporated into the Single CMO Regulation**.

The incorporation of these provisions into the Single CMO Regulation should follow the same approach as that taken for the adoption of the Single CMO Regulation, namely by not calling into question the policy decisions taken when those provisions were adopted by the Council or the motivation for those policy decisions as expressed in the relevant recitals of the respective Regulations. The Single CMO Regulation should therefore be amended accordingly.

The Single CMO Regulation incorporated the provisions concerning the **applicability of competition rules** under the Treaty in respect of the sectors it covered. Such provisions had, until then, been incorporated in Council Regulation (EC) No 1184/2006 applying certain rules of competition to the production of, and trade in, agricultural products. The Single CMO Regulation therefore adapted the scope of Regulation (EC) No 1184/2006. Due to the full incorporation of the wine sector into the Single CMO Regulation, and the extension of the competition rules contained therein to that sector, provision should be made to exclude the wine sector from the scope of Regulation (EC) No 1184/2006.

It is appropriate to clarify that any element of State aid that may be included in the national support programmes referred to in this Regulation is to be assessed in the light of the Community's substantive rules on State aid. Since the procedure laid down by this Regulation for the approval of those support programmes enables the Commission to ensure that the Community's substantive rules on State aid, and in particular those contained in the "Community guidelines for State aid in the agriculture and forestry sector 2007 to 2013" are respected, no further notification should be required. Moreover, in the interests of legal certainty, it is appropriate to recall that the repeal of Regulation (EC) No 479/2008 does not affect the validity of any legal acts adopted on the basis of that repealed act.

ENTRY INTO FORCE: 24/06/2009.

APPLICATION: in order not to interfere with the ongoing 2008/2009 marketing year for wine, the proposed amendments should apply as of the start of the next marketing year for wine – i.e. as of **1 August 2009**.