

Brussels,

## FINAL MINUTES

*Meeting of the Civil Dialogue Group “Wine”*

*Date: 6 and 7 November 2018*

Chair Before the elections: Mr Jean-Marie Barillère (CELCAA)  
After the elections: Mr Angel Villafranca (COGECA)

Organisations present : All organisations were present, except ECVV, IFOAM and PAN Europe.

### **1. Approval of the agenda (and of the minutes of previous meeting)**

The agenda is adopted with the following additional points:

- Golden flavescence - proposal to amend Annex I-V to Directive 2000/29 / EC (concerning measures to protect against organisms harmful to plants or plant products. - requested by Copa-Cogeca;
- Elections of the OIV President - requested by CEEV (CELCAA).

The minutes of the previous meeting are adopted.

### **2. Nature of the meeting**

The meeting is non-public.

### **3. List of points discussed [Name of each point, one by one]**

#### *2. Elections of Chair and Vice-Chair*

The Commission received one application for the Chairmanship and one application for the Vice-Chairmanship.

Mr. **Angel Villafranca**, candidate for Chair, put forward by COGECA, and Mr. **Jean-Marie Barillère**, representing CEEV (CELCAA), candidate for Vice-Chair, present themselves.

The **Commission** calls for the vote by show of hands: both candidates are elected.

**Mr. Villafranca** takes the chair of the meeting.

#### *Additional point – Elections of the OIV President*

**CEEV** asks whether the Commission could coordinate Member States' positions, in the view of the third round of election for the presidency of the OIV. It stresses the importance of supporting an EU candidate.

The **Commission** excludes this possibility, since it has not membership status in the OIV.

## *2. Exchange on market situation and latest information on harvest*

The **Commission** presents the results of the 2017/2018 campaign, as well as the latest forecast for the 2018 harvest (175 M hl) and the total availabilities (333 M hl). Further data will be published once stock declaration are submitted by Member States.

**COPA-COGECA** gives a positive feedback on the current campaign, highlighting nonetheless some downy mildew problems across Europe. It stresses the need to focus on further opening the Chinese market in order to get a competitive advantage over third producing countries.

**CEEV** confirms the good harvest forecast, particularly for Germany. However, there continues to be an alarming decrease in yearly production in Greece, which is not only connected to climate change, but has also to do with the shrinking of the vineyard.

## *3. Next CAP reform and its impact on the wine sector*

The **Commission** presents the proposals for the CAP after 2023, focusing particularly on the sectoral interventions and the modifications to the CMO related to wine.

**CEVI** asks how the checks against performance criteria will be executed and highlights the difficulties that subsidiarity may create: particularly it warns against diverging implementation rules at national level. Furthermore, CEVI asked the Commission why Labrusca varieties are proposed to be re-authorized at the EU level. CEVI also insists on the need to maintain specific financing rules for small and medium enterprises. Finally, it is stated that CEVI does not consider dealcoholized wines to be automatically included within the wine category.

**CEEV** asks the Commission whether the secondary legislation stemming from regulation 1308/2013 will be maintained after the reform.

**COPA-COGECA** states that the current wine policy has been delivering very good results and that further adjustments should take into account the healthy state of the sector due to the current framework. It stresses the need to maintain a harmonious application of the rules and to enhance an orderly development across the EU. On authorizations for vine planting, it confirms the validity of the scheme, while acknowledging the need for further enhancement.

**COPA-COGECA** shares the concerns regarding the implementation of the sectoral interventions and calls for keeping the current framework.

**CEEV** asks the Commission further clarifications on future delegated acts harmonising the application of the sectoral aids measures. Also, it welcomes the flexible approach proposed by the Commission on the authorization scheme, while raising strong concerns on the potential elimination of the reference to 2030 as a possible date for the end of the scheme. In addition, it proposes the inclusion of a national reserve with the aim to avoid that the potential of production held by producers before the entry into force of the system of authorizations is lost and to give the possibility for Member States to recover the unused authorisations.

Finally, it supports the Council proposal to include in the CAP text provisions on the labelling.

**CEEV** insists on the need to regulate dealcoholized and partially dealcoholized wine products by including them in the wine CMO to create a legal framework that protects consumer from deception and provides a fair competition environment for operators.

**COPA-COGECA** encourages the stakeholder to find a flexible solution for the authorization scheme while keeping the threshold of 1%. Particularly, it proposes to look into multiannual authorizations, national reserve of unused wine surfaces and the reworking of the priority criteria.

**COPA-COGECA** joins the previous speaker, calling for maintaining the authorization scheme in place with the 1% threshold.

**COPA-COGECA** asks the Commission why it has been proposed to allow hybrid varieties in PDOs, while cisgenesis can possibly help solving the resistance problems of *vitis vinifera*.

**EFOW** explains that the new wine categories proposed by the EC should not be regulated in the CMO as they cannot be considered per se as an agricultural product (i.e. two transformations). EFOW is not against the existence of non-alcoholic wine beverages but considers that if there is a need to regulate this product it should be done in the framework of another regulation. EFOW does not oppose the EC proposal concerning the new 1% calculation method. Nevertheless, it believes that the larger debate of maintaining the regime after 2030 and continuing to improve its functioning should take place at the same time. EFOW expresses its' support to giving PDO operators the possibility to experiment with *vitis* varieties and underlines that there should be EU thresholds (example of work being carried out in France) to ensure that the typicity and authenticity of PDO wines is not jeopardised. It also welcomes the tabling by both Council and Parliament of amendements tackling the issue of wine labelling (i.e. calories and ingredients).

**COPA-COGECA** insists on the need to include sectoral aid that can be used for avoiding the rural exodus and engage young farmers in viticulture.

**EUROCARE** congratulates with the economic operators for acknowledging the need to display calories on-label and calls for the mandatory lists of ingredients on the back label as well.

The **Commission** stresses that the current framework of the CMO sectoral aid for wine already allows for subsidiarity as Member States can choose specific measures to implement out of an EU menu. It reassures the participants that, to this respect, nothing will change with the new delivery model.

Regarding hybrid varieties, including crosses of *Labrusca*, it reminds that these are already used by certain Third countries for-wine production and do not pose any health concerns.

Concerning the secondary legislation and the possible transitional period from the current CAP and the next, the Commission says that the issue has been duly registered and that different options are under assessment. In any case, it is clarified that existing secondary legislation will be no more applicable once the basic act is no more into force, unless the new basic act foresees otherwise. Nonetheless, it is said that further and new secondary legislation might be proposed, in due time.

**CEEV** asks what might happen to the secondary legislation if the CAP proposals is adopted as it is.

The **Commission** suggests that new legislation might be prepared on the basis of the delegated powers given to the Commission by the proposal.

#### *4. Vineyard management*

##### *a. The renewal of use of copper compounds: impact for wine and organic wine*

The **Commission** gives an update on the current process of re-approval of copper compounds as active substances for plant protection products: a draft regulation proposing a maximum limit of 28kg per hectare over 7 years is currently being discussed by the SCOPAFF. It acknowledges the difficulties generated by the methodology used by EFSA for the assessment of the compound and informs the participants that new guidelines will be worked out by EFSA Panel, upon request of COM. As regards to organic farming, the Commission adds that alignment of the specific regulation is under scrutiny. It foresees a possible adoption during the SCOPAFF of November 27<sup>th</sup> and announces that a revision of maximum residue levels for wine will be undertaken by the Services in the near future.

**COPA-COGECA** highlights that the 2018 harvest would not have been the same if the operators could not use copper against mildew and reiterates the concerns of the producers, particularly in organic farming, who do not have viable substitutes for this compound.

**CEVI** asked the Commission to raise the maximum level proposed up to 5kg per hectare per year with smoothing system.

*b. ~~Q&A on the EU Erasmus+ project “Partnership for biodiversity protection in viticulture in Europe”~~*

*5. Update and exchange on the alignment to the Lisbon Treaty of Wine Legislation:*

*a. Revision of 606/2009 on oenological practices*

The Commission gives an update on the process of alignment of regulation 606/2009.

**COPA-COGECA** asks the Commission whether the considerations sent by the Italian ministry were taken into account, particularly regarding the ageing in barrels and the classification of gases (argon and azote).

**CEEV** asks how the Commission foresees the legal implications of the link between the text and the OIV recommendations.

The **Commission** informs that the observations of the Italian Ministries were not taken on board because incompatible with other EU regulations. On the link with the OIV, it states that all relevant files of the OIV Code of Oenological Practices will be published in the Official Journal C in parallel with the aligned text of the regulation and translated in all languages; further OIV practices will be published when relevant.

*b. Revision of 607/2009 on GIs, labelling, traditional terms and use of variety's name*

The **Commission** informs that the text has been adopted and is now under scrutiny period.

**COPA-COGECA** asks for clarifications regarding the rules of provenance for varietal wines. In particular it is asked to the Commission whether the rules change compared to the text currently into force.

The **Commission** confirms that the services did not proceed with any modification of the rules and only adapted the wording: the same principles will apply.

**COPA-COGECA** asks the Commission why Annex XV has not been updated, particularly when it comes to the GI names that have changed latterly.

*6. Impact of the Irish Public Health (Alcohol) Bill on the European Wine sector*

The **Commission** lists all the relevant changes that the Irish Alcohol Act will introduce and informs the group that the Irish authorities did not take on board all remarks raised by the Commission during the TRIS procedures, which is now closed. However, it is unlikely that the Commission will initiate infringement procedures unless complaints are lodged by the stakeholders. It underlined the possibility for economic operators to file a complaint at EU level.

**CEEV** claims that the Irish act consists of disproportionate measures that will have major disruptive consequences on the EU single market and asks the Commission what position it will take on this.

**EUROCARE** denies the disproportionality of the measures and invites the sector to comply with the new legislation.

**COPA-COGECA** highlights the risks linked to diverging national rules within the EU.

**CEJA** urges education measures, considered as more useful than repressive alcohol policies.

The **Commission** states that Ireland has not yet proposed actual implementing measures and that it will see how to react once they will be formally notified.

**CEEV** claims that the objective of the Irish act is to stop the overall consumption instead of reducing the harmful use of alcohol. CEEV asks what measures are in contrast with the EU legislation.

The **Commission** clarifies that two particular measures can be considered to be in contrast with EU legislation: the obligation to display on label the total grams of alcohol and the total energy contained in the alcoholic beverage container. In addition, it highlights the possibility for producers to submit a formal complaint and if it is found legitimate, the Commission will consider opening an infringement procedure.

*7. Commission's project to launch a Study on the modernisation of Distance Selling arrangements (Directive 2008/118/EC)*

The **Commission** informs the group that the study on distance selling arrangements (article 36) and the provisions for acquisitions of excise goods by private individuals (article 32) commenced in October 2018. Consultations with stakeholders will start in the first quarter of 2019 and will be undertaken by an external consultant.

**COPA-COGECA** insists on the need to find facilitations for the small producers and proposes the one-stop-shop model as a valuable solution for the excise payment.

**CEEV** marks its support for the one-stop-shop solution and thanks the commission for the initiative.

The **Commission** acknowledged the validity of the one-stop-shop solution.

- 8. Commission's engagement in Codex Alimentarius work regarding alcohol beverages labelling (tbc)*
- 9. Food Information to Consumers – Sector's self-regulation proposal following the Commission report on nutritional information and ingredient listing (tbc)*
- 10. International Trade of Wine*
  - a. Enforcement of CETA*

The **Commission** gives an overview of the positive effect on wine trade of the CETA and reports that some issues still need to be solved regarding the application of the measures. In particular, non-tariff discriminations persist against imported wines.

**CEEV** reiterates the complexity of the pending issue of discrimination which adds to increasing excise duties. It requested to use as soon as possible all CETA tools, including dispute settlement mechanisms to end the discriminatory treatment EU wines are facing in the Canadian market.

**COPA-COGECA** asks the Commission why many GIs are missing protection under the agreement and calls for a limitation of imports of wine kits from Canada.

The **Commission** pledges to continue protecting the EU interests and asking Canada for a proper implementation of the agreement, via the dedicated instruments available in the agreement. As for the list of protected GIs, it reminds the participants that a full list was already agreed in a previous agreement, while recalling that the protection mechanism inscribed in the agreement foresees two steps: listing of the GI in the agreement followed by a demarche of the GI owner towards Canadian authorities to have its right recognized.. Finally, the Commission underlines that there is no link between wine kits and the agreement with Canada, as the wine kits are not encompassed in the CETA.

#### *b. New Zealand and Australia*

The **Commission** gives an update on the negotiations with the two countries and informs the group that a second round of negotiations will take place before the end of the year (On October 15<sup>th</sup> with New Zealand and November 19<sup>th</sup> with Australia). Three possible issues might be risen during the negotiations regarding the wine sector: the protection of the Prosecco GI, the alignment of the oenological practices and the status of dealcoholized wines.

**CEEV** declares its support of the negotiations.

#### *11. Working group on Wine market situation and Technical issues: Terms of Reference and organisation of first meeting*

The **Commission** informs the participants that an agreement on the terms of reference of the Market Working Group was impossible to achieve. They urge the sector to come up with a proposal to be accepted at unanimity.

**COPA-COGECA** declares being satisfied with the terms of reference proposed by the Commission and regrets that the first meeting of the Group has not been organised yet.

**CEEV** insists on the need to focus on the analysis of the markets, intended as markets vis-à-vis the final consumers, rather than the production side of the supply chain. It believes that this working group should provide responses and information that serves directly wine companies in their strategic business plan. This approach would complete the work that national observatories are performing. It declares in favour of a small group of 5-6 experts in markets mandated to undertake market studies. In this framework, it asks the Commission to explain what kind of support it could provide to the group, including financial support.

**COPA-COGECA** is in favour of extending the scope of the Group to the consumption market but insists on the need to cover the production side as well, being in line with the remits of DG AGRI and the legal framework of the Civil Dialogue Groups.

The **President** urges the group to find an agreement and pledged for a compromise.

#### *12. Additional point - Golden flavescence - proposal to amend Annex I-V to Directive 2000/29 / EC (concerning measures to protect against organisms harmful to plants or plant products)*

The **Commission** informs the participants that the Services are currently discussing with the Member States the future phytosanitary status of and will evaluate the possibility to apply possible measures for the prevention and the containment of the golden flavescence, in view of the new Plant Health Law. A decision needs to be made on whether to regulate as a Union Quarantine pest or a Regulated non-Quarantine Pest (RNQP). In the latter case measures will exist only for the marketing of reproductive material (plants for planting). Stakeholders will have the opportunities to be give feedback.

**COPA-COGECA** stresses that quarantine measures are particularly needed for nurseries. Moreover, it highlights that quarantine should not be applied to producers because the effects will be disruptive for the sector and asks the Commission to use the principle of proportionality while assessing the relevant measures to implement. Finally, it informs the Commission that in France the authorities are managing well the disease through targeted eradications and specific checks on the ground.

**CEJA** stresses the lack of phytosanitary products against this disease in the organic sector and asks the Commission to look into possible solutions.

#### *Disclaimer*

*"The opinions expressed in this report represent the point of view of the meeting participants from agriculturally related NGOs at community level. These opinions cannot, under any circumstances, be attributed to the European Commission. Neither the European Commission nor any person acting on behalf of the Commission is responsible for the use which might be made of the here above information."*

List of participants– Minutes

*Meeting of the Civil Dialogue Group “Wine”*

*Date: 6 and 7 November 2018*

#	Delegation	Name	First Name
1	Confédération européenne des vignerons indépendants (CEVI)	Romanese	Lorenza
2	Confédération européenne des vignerons indépendants (CEVI)	Montagne	Thomas
3	European Alcohol Policy Alliance (Eurocare)	Skar	Mariann
4	European Alcohol Policy Alliance (Eurocare)	Kaczmarek	Aleksandra
5	European Council of Young farmers (CEJA)	Maltese	Gianfranco
6	European Council of Young farmers (CEJA)	Masse	Samuel
7	European Council of Young farmers (CEJA)	Scenna	Danilo
8	European Council of Young farmers (CEJA)	Martínez	Miguel
9	European Council of Young farmers (CEJA)	Teixeira Martins	Marco A.
10	European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT)	Treiber	Josef
11	European Federation of Origin Wines (EFOW)	Zandoná	Daniela Ida
12	European Federation of Origin Wines (EFOW)	Tesson	Eric
13	European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Barillère	Jean-Marie
14	European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Thepkanjana	Yapa
15	European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Vereecken	J.J.
16	European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Buonano	Matilde
17	European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Perpera	Sofia
18	European Liaison Committee for Agriculture and agri-food trade (CELCAA)	Cagiano de Azevedo	Ottavio
19	European Liaison Committee for Agriculture and agri-food trade (CELCAA)	François	Elvire



20	European Public Health Alliance (EPHA)	Dramstad	Kalle
21	European agri-cooperatives (COGECA)	Coste	Thierry
22	European agri-cooperatives (COGECA)	Crone	Simon
23	European agri-cooperatives (COGECA)	Xenikakis	Polydoros
24	European agri-cooperatives (COGECA)	Mata	Teresa
25	European agri-cooperatives (COGECA)	Glatt	Josef
26	European agri-cooperatives (COGECA)	Haller	Anne
27	European agri-cooperatives (COGECA)	Brazsil	David
28	European agri-cooperatives (COGECA)	Sourin	Valentina
29	European agri-cooperatives (COGECA)	Villafranca	Angel
30	European agri-cooperatives (COGECA)	Jacquemot	Chistelle
31	European farmers (COPA)	Almeida	Claudia
32	European farmers (COPA)	Pucek	Martin
33	European farmers (COPA)	Domenico	Bosco
34	European farmers (COPA)	Mastrogiovanni	Domenico
35	European farmers (COPA)	Vrbanek	Josip
36	European farmers (COPA)	Vizcaino	Jose Joaquin
37	European farmers (COPA)	Villena Cañas	Fernando
38	European farmers (COPA)	Garcia-Gasco Alcalde	Alejandro
39	European farmers (COPA)	Esposito	Palma
40	European farmers (COPA)	Mirizzi	Francesco
41	European farmers (COPA)	Castelli	Gabriele
42	FoodDrinkEurope	Sanchez Recarte	Ignacio

43	FoodDrinkEurope	Alves	Ana Isabel
44	FoodDrinkEurope	Walter	Matthias
45	FoodDrinkEurope	Tinelli	Nicola Marco
46	FoodDrinkEurope	Benítez	José Luis