

FINAL MINUTES of the
Meeting of the Civil Dialogue Group Quality and Promotion
2 July 2019 for written procedure

Chair: Giulio Benvenuti (COGECA)

Organisations present: All Organisations were present, except BEUC, EFNCP, ERHA, ERPA, FOEE and WWF.

Approval of the agenda

Agenda of the meeting and minutes of the previous one on 28/03/2019 were approved.

Nature of the meeting: non-public.

List of points discussed:

Promotion (a.m.)

1. 2019 calls for proposals – statistics on submissions
2. Implementation of the EU promotion policy – Stakeholder presentations, followed by questions and discussion
3. Presentation by the Commission on the draft Annual Work Programme 2020
4. Update on the evaluation of the EU Promotion Policy
5. **(Quality)** Follow-up: EU best practice Guidelines for voluntary certification schemes for agricultural products [2010/C 341/04] – Stakeholder presentations, followed by questions and discussion

Quality (p.m)

1. **(Promotion)** Own initiative campaigns by the Commission – debriefing of the High-Level Mission to Japan, SPS seminars, campaigns, etc.
2. Update on the co-decision process and exchange of views with the group on the post-2020 CAP aspects related to quality
3. Marketing Standards
 - a) Update on the survey and evaluation processes carried out by external consultants (timeline, next steps, etc.)
 - b) Link between marketing standards and GIs
4. Presentation of the EU Directive on Unfair Trading Practices (UTPs)
5. State of play of BREXIT, in particular in relation to GIs and promotion policy

AOB

Promotion (a.m.)

1. 2019 calls for proposals – statistics on submissions

The Commission presented statistics on the 2019 calls for proposals. For Simple Programmes, the numbers of proposals in 2019 was much lower than in previous years, but a high competition was still evident for the internal market (i.e. quality schemes and agri methods and products). Ten Member States were not represented. Italy, Spain and Greece submitted the highest number of proposals. As regards Multi Programmes, the percentage of submitted proposals was lower than Simple Programmes, in line with previous years. Notably, no proposals were submitted for topic E (beef). The presentation is available on AGM.

COGECA suggested eliminating the special envelopes dedicated to specific topics, in order to re-allocate those resources to the general ones. Incentives (e.g. additional points) may be given to selected topics in need.

COPA asked what will happen to the budget not utilised for some topics. In addition, it was mentioned that some sectors in a difficult situation are not capable of applying to Multi-Programmes, therefore specific funding envelopes may result ineffective for that reason.

The Commission replied that the implementation of the Promotion Policy has to respect the legal basis established by the legislators. The Commission invited the Organisations to share their problems experienced with the Multi-Programmes, and to raise them during the incoming evaluation of the Promotion Policy. The budget will be reallocated to other topics, mostly to proposals with the highest ranking as stipulated in the annual work programme for 2019; however, it is not possible to shift the budget from Simple to Multi Programmes, and vice versa.

COPA noted that for Multi-Programmes it is quite difficult to work between different Member States. Coordinators need to invest more time and efforts in coordinating the project, and it is still unclear who, in case of misconduct or mistakes of one of the partners, is responsible: the partner or the coordinator? It was also noted that the system utilised for the Promotion Policy is the Horizon2020 one, too strict and formal, leaving some room for improvement. For example, the cost for drafting an application is around 40 000 euros, but a huge part of money may be saved by applying a two-step approach, e.g. by having the first/preliminary step required to understand if the organisation is eligible to apply or not, without investing such massive amount of resources at the beginning (i.e. pre-eligibility check).

The Chairman underlined the interest of the sectors in the Promotion programmes but noted that more flexibility is required. The lack of proposals for the beef or fruit and vegetable sector should not be interpreted as there is no need for both the sectors to be funded, but rather as a symptom of the difficulties encountered to apply to Multi Programmes. The sectors would surely benefit from the Promotion Policy, given the opportunity.

2. Implementation of the EU promotion policy – Stakeholder presentations, followed by questions and discussion

SACAR presented the differences experienced with management of Simple and Multi Programmes. Two different systems are utilised for the same legislation, e.g. the contact point (CHAFEA vs Member State). In general, Multi Programmes are better organised in terms of contact point, bureaucracy and administration, although it is difficult to find partners. Member States, in charge of Simple Programmes, cannot provide the same guidance given by CHAFEA. Flexibility is allowed in Multi Programmes but not by all Member States for Simple Programmes. The impression is that Member States did not adapt to the new Regulation, but rather kept continuing the same system before the reform. A guidance document would be needed for Member States authorities. The presentation is available on AGM.

Euromontana agreed with drafting guidelines for the Member States.

COPA praised the work of CHAFEA. However, a better harmonisation and homogeneity between IT tools would be needed as regards Member States.

The Commission replied that a report will be drafted for the Council and European Parliament before the end of 2020. Also, the evaluation of the promotion policy will examine the management ie direct management of multi programmes by CHAFEA and shared management with Member States for simple programmes. The Commission reiterated its objective that the implementation rules for direct and shared management are the same to the extent possible. That is spelled out in Recital 6) to the implementing regulation¹. However, all the proposals are evaluated independently by external experts for both Programmes (Simple and Multi). As regards the interpretation and questions from Members States or beneficiaries, the Commission pointed out that, DG AGRI and CHAFEA always consult each other in order to align the replies.

3. Presentation by the Commission on the draft Annual Work Programme 2020

The Commission presented the Draft Annual Work Programme (AWP) 2020. The same budget as for 2019 is foreseen for Simple and Multi Programmes in 2020. The new

¹ “(6) Simple programmes are to be implemented in shared management between the Member States and the Union in accordance with Regulation (EU) No 1306/2013 of the European Parliament and of the Council (5), while multi programmes are to be financed under direct management rules in accordance with Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council (6). As the same proposing organisation could have both simple and multi programmes, the implementation rules for both programmes should differ as little as possible. To that end, simple programmes should be subject to rules that are equivalent to those provisions of Regulation (UE, Euratom) No 966/2012 concerning grants which apply to multi- programmes such as, for example, the absence of a requirement to lodge a security to ensure satisfactory performance of the contract.”

Commission Implementing Regulation (EU) 2015/1831 of 7 October 2015 laying down rules for application of Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in the third countries, *OJ L 266, 13.10.2015, p. 14*

specific topic for Simple Programmes is the promotion of beef and veal in Third Countries. For Multi Programmes, a specific envelope for fresh fruits and vegetables targeting the Internal market is proposed. The Draft AWP 2020 will be voted in the Committee next September/October, adopted by the Commission in November and the Calls for proposals will be published in January 2020. The presentation is available on AGM.

COPA commented that, as most GIs relate to wine and spirits, few applications from foodstuffs are usually sent by applicants. A better coordination between EU quality schemes and national quality schemes should be envisaged, supporting a higher promotion of quality certified foodstuffs applications. Proactive measures against Brexit (e.g. for beef, dairy and lamb sectors) could be considered in the next AWP 2020, notably in relation to the imminent competition with beef from New Zealand and South America (i.e. Mercosur Agreement).

CELCAA welcomed the 5 million euros envelope for simple programmes for beef, and asked if 5 million euros are envisaged for market disturbances in both Simple and Multi Programmes, for a total of 10 million euros.

The European Milk Board (EMB) commented that those money should be better given directly to the sector, rather than for a useless promotion of products.

SACAR commented that topics 1 and 2 of Simple Programmes are united under the same topic in Multi Programmes, therefore coherence would be needed together with simplification. In addition, it should not be necessary to specify the geographical areas in Multi Programmes, as the current rule for Simple Programmes: same rules should apply.

The Commission replied that Brexit is still under discussion. The Mercosur Agreement will not influence the market in near future. Anyway, all sectors affected by the Mercosur Agreement will get support by other means too.

As regards envelopes for specific sectors, the Commission replied that there was a consultation as well as a political will. Replying to EMB, the Commission stressed the contribution that the Promotion Policy is giving to the general sales, ultimately boosting the income of producers.

The Commission confirmed 5 million euros for both Simple and Multi Programmes, for a total of 10 million euros in the next draft AWP 2020. As regards unfunded topics, those money will be reallocated to other proposals, as envisioned in the AWP decision.

ECVC agreed with EMB, acknowledging a reverse correlation between promotions and farmers' income. EU should produce food in a more sustainable way, without promoting exports and related consequences (e.g. greenhouse gases emissions from transportation and fossil fuels), therefore we should promote local high-quality food. Societal aspects should be taken into more consideration.

COPA, on the other side, supported the Promotion Policy as a tool to increase exports and farmers' income, as in the case of China and the pork market, together with other initiatives as e.g. high-level missions. EU is known nowadays to have the highest standards of food production in the world. Finally, COPA asked if the quality certification schemes may also be promoted through the Promotion Policy.

On the same line, COGECA noted that 200 million euros are a limited amount of money in comparison to the huge benefit given to the export of EU products. The Promotion Policy, however, does not allow to respond quickly to market crises, as such instruments usually enter into force once the crises is already finished. Simplification is therefore needed.

SACAR agreed with having a faster tool to respond to market crises. In relation to the Promotion Policy, it was noted that a specific envelope on fruits and vegetables is welcome, although not necessarily connected to the promotion of healthy diets.

The Chairman concluded the questions by acknowledging that the Promotion Policy has shifted from being a crises management tool to a marketing instrument, with positive outcome for producers.

The Commission replied that the promotion of certified products is possible in both Simple and Multi Programmes. The Tartu Call Conference was mentioned as a positive example of promotion of EU products and healthy lifestyle, referring in particular to the School Schemes.

4. Update on the evaluation of the EU Promotion Policy

The Commission presented the imminent evaluation of the Promotion Policy, highlighting that some Organisations will be interviewed. The critical and constructive findings will help improving the Promotion Policy itself. The presentation is available on AGM.

CELCAA asked if the external consultants have already delivered preliminary results on the evaluation addressing the CDG system.

COGECA asked how stakeholders will be contacted (e.g. questionnaire, interviews, etc...) and if the replies will be considered differently according to the Organisation providing the input.

The Commission replied that a different Unit is dealing with the CDG evaluation. Online questionnaire and interviews will be performed, involving Commission staff members as well. However, an interim report was already delivered to the Commission, mentioning case studies on the Promotion Policy and DG SANTE Advisory Group. A methodology will be further developed and defined for the next steps.

COGECA asked if the evaluation will also take into account the effects and economic impacts in the new markets. The Commission replied that DG AGRI in-house services will also provide economic data to feed the evaluation.

5. (Quality) Follow-up: EU best practice Guidelines for voluntary certification schemes for agricultural products [2010/C 341/04] – Stakeholder presentations, followed by questions and discussion

Following the presentation from the Chairman during the last CDG on Quality and Promotion, EUROCOMMERCE presented its view on the 2010 Commission document

addressing private quality certification schemes. Other stakeholders were invited to contribute to the discussion with their presentations during the next CDGs, in order to understand if it may be possible to develop a common joint vision on such Commission document. EUROCOMMERCE discussed about both categories of certification schemes (B2B and B2C) and provided an overview of the different schemes included in the Global Food Safety Initiative (GFSI).

COPA commented that every food product put on the market has to comply anyway with strict safety requirements. A better collaboration between private and authorities' controls should be fostered. Primary producers are often underrepresented in the Global GAP board, and usually invited to join when criteria have been already decided.

EUROCOMMERCE replied that in some Member States, usually in the North-West European Union, efficient collaborations between private and public controls are in place. It was acknowledged the minor weight of farmers, in comparison to retailers, in the composition of the advisory board of Global GAP.

CELCAA commented that some retailers are using some labelling (e.g. origin) to discriminate and privilege products from specific countries, against the Single Market.

EUROCOMMERCE replied that the private certification schemes are trans-national, and in many countries, consumers appreciate to buy local food. Retailers always adapt to consumers' demands, but they wish to see all the schemes implemented in all the countries.

EMB wondered who consumers should be protected from, when speaking about higher safety standards. Who is endangering consumers?

EUROCOMMERCE replied that protection is already guaranteed by the General Food Law and minor legislation dealing with e.g. allergens. Although food in EU is very safe, we cannot still guarantee 100% safety.

COPA mentioned that the certification network is creating barriers to market access, in fact creating standards even more stringent than the current legislation, which is based anyway on sound scientific evidences.

EUROCOMMERCE replied that retailers have the right to ask for stricter requirements if they wish so.

ECVC disagreed with labelling EU food as safe, mentioning e.g. food additives and impact on climate change. A more sustainable, local and organic food production system was presented as a better alternative.

FoodDrinkEurope stressed that high amount of resources is needed to certify the production systems for both farmers and industry, therefore wondering if retailers are willing to share the burden of such private certification schemes.

COPA mentioned that in EU we have more fraudulent activities rather than unsafe food. More synergy between public and private entities would be needed, as primary producers are struggling to meet the requirements imposed by the plethora of private certification schemes. Finally, COPA mentioned that fair payments should be integrated in such schemes, as they are working as barriers to market access. Differently from the organic production, where higher prices are envisioned for bio products, such schemes do not

bring advantages to farmers. Why the retailers don't pay for the certification schemes, if they mostly get the economic benefit?

FaceNetwork asked if retailers are imposing the required safety systems or are collaborating with producers to develop them, working together and supporting them.

The Chairman asked if the 2010 Commission document may be integrated with the private certification schemes, including a higher influence by the producers in the decision-making process.

EUROCOMMERCE replied stressing the importance of the safety requirements of the private certification schemes to meet the legal basis envisioned in the legislation. The certification cost is compensated by providing better opportunities to producers to have market access, therefore increasing sales. It was acknowledged that some ideas from the 2010 Commission Guidelines could be incorporated in the global private certification schemes. The speaker stressed that retailers do not always ask for certificates, but audits alone are also performed to check internally if the same requirements are met, without necessarily bearing the certification costs, notably for small producers. The harmonisation of global certification schemes was recognised as an excellent idea.

Quality (p.m.)

1. (Promotion) Own initiative campaigns by the Commission – debriefing of the High-Level Mission to Japan, SPS seminars, campaigns, etc.

The Commission presented the initiative campaigns already concluded and planned for the future, focussing on Japan (high satisfaction rate from participants), Mexico and China. The market entry handbooks on CHAFEA website were also mentioned. The presentation is available on AGM.

The Chairman and COGECA expressed their high appreciation for the high-level missions of Commissioner Hogan, and for the opportunity provided to the delegates as regards in particular to market access.

COPA asked if and how the high-level missions' impact will be evaluated in future and suggested that the same transparency utilised to selected the delegates should be used also for the products to be promoted.

ECVC asked if the delegations usually meet local producers too, because free trade agreements affect small farmers favouring large mechanised farming systems.

SACAR highlighted their appreciation for both high-level missions (political instrument) and the SPS seminars (technical tool), hoping that such exercises will continue in future.

The Commission stressed that the next mission to Singapore is not a high-level mission, therefore no delegation nor Commissioner Hogan are envisioned to participate. As regards products to be displayed during such campaign, the local EU embassies are usually asked for suggestions through surveys (e.g. GI products). The evaluation of high-level missions is performed immediately and after 2 years. The Commission is welcoming the

appreciation from participants, stressing that the own campaigns are a powerful marketing tool, however it is still difficult to predict if the next Commissioner will continue such initiatives.

2. Update on the co-decision process and exchange of views with the group on the post-2020 CAP aspects related to quality

The Commission presented the recent developments on the topic. 1) wine: the delegated and implementing acts were already published. The eAmbrosia website is functional. 2) spirit drinks: Regulation (EU) 2019/787, the basic act on spirit drinks, was published. It is applicable to Geographical Indications as from the 8 of June 2019. Only exceptions: the rules on national procedures preceding applications to the Commission will enter into force in 2 years and the register will be established when the delegated Regulation will be adopted. The Commission started working on the Delegated and Implementing Regulations on spirit drinks GI. They are very technical acts. First discussion took place in May. Comments from the Member States are being received. Next meeting with Member States to discuss these drafts is scheduled in October. 3) food: the CAP package is made of three Regulations; GIs amendments are included in the Regulation on the CMO. Most amendments have been endorsed by the Parliament and the Council. The new Regulation provides for a clearer division of competence between the Commission and the Member States which would allow the Commission to focus on the EU value added. Scheme on aromatised wines will be repealed while aromatised wines will be covered by the Regulation for agricultural products and foodstuffs. Procedures are streamlined and accelerated. Protection is enhanced, clearly extending to the internet and against goods in transit in the EU territory. For wine, the possibility for producers to use new varieties for PDO, notably needed in response to climate change, is given. State of play: Council: the positions of Council and Commission seem to be close (as regards the GI chapter). Finland has presented the working roadmap for its 6 months term Presidency. It will continue in the same line as the previous Presidencies. European Parliament: the new Parliament will resume the procedure and decide if endorsing or not the previous vote by COMAGRI given last April.

ECVC stressed that the current CAP proposals are not ambitious enough. France is developing national quality schemes on food, e.g. school schemes including local products as milk, fruits and vegetables. GIs should be available to everyone. Currently, processed low-nutritious foods are available to poor people whereas fresh high-quality products are destined mostly to rich people. Agriculture should be better connected to health.

The Commission replied that a more comprehensive food policy will probably be discussed when the next Commissioner will take place.

3. Marketing Standards

a) Update on the survey and evaluation processes carried out by external consultants (timeline, next steps, etc.)

b) Link between marketing standards and GIs

The Commission introduced the evaluation ongoing as regards marketing standards. The second interim report is now discussed. Effectiveness, efficiency, fit for purpose, relevance and coherence with other policies, and EU added value are investigated. The general picture is overall positive, although conflictual views emerged. Private certification schemes are also addressed as farmers said that “private schemes led to gold plating strategies, farmers being forced to adjust themselves to retailers’ requests”. Publication of the report is expected in November 2019.

EMB complained about the increasingly used label “pasture milk” or “GMO-free milk”, which are deceiving for consumers.

COGECA complained that, when the contractor was suggested to contact the own experts directly working with marketing standards, the suggestion was not followed because of lack of time. Marketing standards are powerful useful instruments, promoting integration in the agri-food production of the internal market. Whenever there is a European vacuum, producers have to comply with 28 different private standards and even more, as retailers are applying their cosmetic private standards. The disappearance of the EU marketing standards led to less control and quality.

COPA stressed the importance of abolishing meat-related names on plant-based products, as it was achieved for milk-related terminology. Which legislation may relate to the topic? As regards GMO-free milk, COPA commented that such claims are illegal on e.g. fruits and vegetables, and the same should apply to milk. Harmonisation and clearance is therefore needed, and definitions should not be left to the market only.

ECVC complained about the standard for free-range eggs. Chickens should not be forced outside, but rather be given the opportunity of open spaces at their will, without establishing strict limits. Mountain standard should also be fostered.

The Commission replied that, according to the evaluation, developing a general marketing standard for fruits and vegetables has been detrimental. The protection of meat-related names is envisioned in the Compromise Amendment 41 of the single CMO proposal; the next Parliament will decide on the topic. Many terms, anyway, are protected as PDOs and PGIs.

4. Presentation of the EU Directive on Unfair Trading Practices (UTPs)

The Commission presented the Directive on Unfair Trading Practices (UTPs). The list of black and grey practices was explained, together with the mechanism of “blaming and shaming”. The Directive is meant to protect small suppliers from the bigger power of buyers. An evaluation is currently ongoing in order to be compared to an impact assessment which will be performed in 2025. The presentation is available on AGM.

CELCAA noted that some of the black or grey practices are actually agreed by both suppliers and buyers, as for example for deteriorating products, or in order to attract consumers (e.g. “below-cost”). Producers and buyers have common interests which may be undermined by such Directive.

COPA noted that farmers have been imposed private certification schemes to comply with, therefore wondering if such practice may fall under the black or grey practices,

according to the Directive. COPA also asked if the new rules shall apply to the new contracts starting from May 2021 or November 2021.

ECVC advocated an EU minimum wage salary, as currently in France (10 euros/hour), otherwise the competition would be too detrimental for some Member States.

COGECA strongly welcomed the legislation but asked why, differently from the Spanish legislation, the UTPs Directive is not excluding the agreements taking place within the cooperatives, i.e. between cooperatives and their members.

The Commission replied that the “below-cost” practice is not covered by the Directive. As regards the cooperatives, the Commission replied that the legislation covers farmers-to-buyers transactions, with no difference if they happen within or outside the cooperatives. Cooperatives statute may be considered a supply agreement, if drafted precisely enough; however, not only sales-related activities within a cooperative are covered by the Directive. The Commission did not find evidences to include private certification schemes in the list of UTPs, as they may also be beneficial for farmers. However, as the Member States Authorities will meet once a year, such topic will arise in case of evident problems. The Commission stressed that UTPs Directive mentions the minimal requirements, but the Member States will implement the Directive as they prefer, including other UTPs if they wish so. Minimum wages for workers is not a topic related to UTPs. The Directive will apply to all contracts concluded after the 13 November 2021, whereas all existing contracts shall be brought in line before May 2020.

5. State of play of BREXIT, in particular in relation to GIs and promotion policy

The Commission updated the participants on the latest state of play of Brexit. Brexit has been postponed to 31st October 2019. The Commission has adopted two Brexit-related communication where agriculture is mentioned ten times. It was asked to the participants how they are preparing to the no-deal scenario.

COPA asked if EU GIs would be still recognised in UK. The Commission replied that UK GIs might continue to be recognised in EU as Third Country GIs, but the opposite is uncertain. It is expected that a withdrawal agreement will be drafted in order to protect EU and UK GIs as now.

COPA stressed that, in case of no-deal scenario, some sectors as beef and dairy will suffer heavily and therefore some measures should be put in place.

CELCAA wondered if the threats by the UK Prime Minister Johnson of leaving without paying any debt, as well as the lack of respect for the rules of the Internal market, may be concrete. In that case, other Member States may be willing to leave the EU if there shall not be heavy consequences.

The Commission replied that the Withdrawal Agreement is not negotiable.

AOB

The Commission commissioned a study and an evaluation on geographical indications. The work related to the first, about the economic value of GIs, started in January 2019. The second, as regards the evaluation of the overall GIs policy, is still in the beginning phase, therefore additional information will be provided during the next CDG.

Next meeting

The tentative date for the next CDG is 6th December 2019.

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

Civil Dialogue Group Quality and Promotion

Date: 2 July 2019

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European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT)	GENNARI	Anna

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Euro Coop - European Community of Consumer Co-operatives (EUROCOOP)	TARSITANO	Giulia
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FoodDrinkEurope (FoodDrinkEurope)	KOPACEK	Jiri
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International Federation of Organic Agriculture Movements EU Regional Group (IFOAM EU Group)	ROMERO	Francesca
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SACAR - Secrétariat des Associations du Commerce Agricole Réunies / Joint Secretariat of Agricultural Trade Associations	RUBBI	Simona
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Total:		40