C/2025/3479

16.7.2025

Opinion of the European Committee of the Regions – Strengthen farmers' position in the agri-food supply chain

(C/2025/3479)

Rapporteur: Loredana CAPONE (IT/PES), Member of the Puglia Regional Council

Reference documents: Proposal for a regulation of the European Parliament and of the Council on cooperation among enforcement authorities responsible for the enforcement of Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain

COM(2024) 576 final

Proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) No 1308/2013, (EU) 2021/2115 and (EU) 2021/2116 as regards the strengthening of the position of farmers in the food supply chain

COM(2024) 577 final

I. RECOMMENDATIONS FOR AMENDMENTS

COM(2024) 577

Amendment 1

Recital 1

Text proposed by the Commission	CoR amendment
Whereas:	Whereas:
(1) The agricultural sector, in particular farmers, face a range of challenges. The Covid-19 pandemic and Russia's ongoing war of aggression against Ukraine have led to an unprecedented increase of energy-related agricultural input costs and a prolonged period of high inflation, affecting farmers' costs and food prices. In parallel, farmers continue to undertake efforts to make their production more environmentally sustainable. Many consumers, dealing with an increased cost of living, have also directed their consumption patterns towards less expensive food products. This has further destabilised the distribution of value added along the food supply chain and has increased the degree of uncertainty in which farmers operate, fuelling protests and mistrust. It is thus appropriate to adopt measures to tackle those challenges ***and*** restore the trust of the actors in the food supply chain.	(1) The agricultural sector, in particular farmers, ***ensures food security for our continent and preserves Europe's agricultural, cultural and culinary heritage, and*** face***s*** a range of challenges. The Covid-19 pandemic and Russia's ongoing war of aggression against Ukraine have led to an unprecedented increase of energy-related agricultural input costs and a prolonged period of high inflation, affecting farmers' costs and food prices. ***New uncertainties in geopolitics and on international markets are creating new scenarios, the impact of which on agricultural costs and food security is still uncertain.*** In parallel, farmers continue to undertake efforts to make their production more environmentally, ***socially and economically*** sustainable ***despite poor harvests and pests, while the effects of the demographic transition, ageing populations and lack of newcomers in the profession are felt particularly keenly in some parts of the agricultural sector***. Many consumers, dealing with an increased cost of living, have also directed their consumption patterns towards less expensive food products. This has further destabilised the distribution of value added along the food supply

Text proposed by the Commission	CoR amendment
	chain and has increased the degree of uncertainty in which farmers operate, fuelling protests and mistrust. It is thus appropriate to adopt measures to tackle those challenges ***to rebuild fairness, to*** restore the trust of the actors in the food supply chain ***and to ensure the productivity and competitiveness of the sector;***

Reason

It is important to mention agricultural and cultural heritage. The new uncertainties should be mentioned because of their potential impact on farmers' position in the agri-food supply chain, which has not yet been assessed. Social and economic sustainability should be referred to alongside environmental sustainability. Explicit mention should be made of the challenge posed by the lack of newcomers in various segments of the agricultural sector, in particular in the early stages of the value chain. Productivity should be explicitly referred to alongside competitiveness, given the challenge of combining these two factors in order to effectively strengthen farmers' position in the supply chain.

Amendment 2

Recital 4

Text proposed by the Commission	CoR amendment
Whereas:	Whereas:
(4) The term 'short supply chain' should be used only to designate commercial modalities where a direct connection exists between farmers and consumers that allows to directly exchange on the production process and the product, including by means of distance communication and/or via an intermediary who ensures such exchange at the moment of sale. Alternatively, this term may also be used where a close connection between farmers and consumers within their geographic proximity exists, including in cross-border contexts. This will incentivise consumers to pay prices that fairly remunerate farmers for what they produce, ***strengthen and contribute*** to the development of rural areas, improve transparency regarding the origin and production methods of the products.	(4) The term 'short supply chain' should be used only to designate commercial modalities where a direct connection exists between farmers and consumers that allows to directly exchange on the production process and the product, including by means of distance communication and/or via an intermediary who ensures such exchange at the moment of sale. Alternatively, this term may also be used where a close connection between farmers and consumers within their geographic proximity exists, including in cross-border contexts. This will incentivise consumers to pay prices that fairly remunerate farmers for what they produce, ***providing them with stability and predictability, whilst strengthening and contributing*** to the development of rural areas***, particularly areas with specific natural constraints such as islands, and the relocalisation of food production and distribution in the interest of both territorial cohesion and sustainability***, ***and*** improve transparency regarding the origin and production methods of the products.

Reason

Short supply chains should be encouraged, as they can have a number of positive effects.

Amendment 3

Recital 12

Text proposed by the European Commission	CoR Amendment
(12) to strengthen the negotiating position of recognised producer organisations and to ensure the viable development of agricultural production, recognised associations of producer organisations should be allowed to negotiate contract terms on behalf of their members, including price, for some or all of their members' production. This possibility should be allowed, subject to the safeguard that the organisations which are members of those associations are not also members of another association of producer organisations ***and the volume of products covered by the activities of the association does not exceed 33 % of the total national production of any given Member State.*** In order to maintain effective competition on the market, recognised associations of producer organisations should also not be allowed to negotiate contract terms where those associations include non-recognised producer organisations;	(12) to strengthen the negotiating position of recognised producer organisations and to ensure the viable development of agricultural production, recognised associations of producer organisations should be allowed to negotiate contract terms on behalf of their members, including price, for some or all of their members' production. This possibility should be allowed, subject to the safeguard that the organisations which are members of those associations are not also members of another association of producer organisations. In order to maintain effective competition on the market, recognised associations of producer organisations should also not be allowed to negotiate contract terms where those associations include non-recognised producer organisations;

Reason

The purpose of the proposed regulation is to favour the strengthening of the role of farmers within the supply chain through greater aggregation. It is considered contradictory to include the 33 % limit.

Amendment 4

Recital 19

Text proposed by the European Commission	CoR amendment
(19) to facilitate the functioning of price transmission mechanisms, where the final price payable for the delivery of agricultural products is calculated by combining various factors set out in the contract, those factors should include objective indicators, indices or methods of calculation that are easily understandable by the parties. To avoid that farmers are forced to sell systematically below their production costs, the indicators, indices and methods of calculation of the final price should reflect changes in market conditions and production costs of the agricultural products delivered;	(19) to facilitate the functioning of price transmission mechanisms, where the final price payable for the delivery of agricultural products is calculated by combining various factors set out in the contract, those factors should include objective indicators, indices or methods of calculation that are easily understandable by the parties. To avoid that farmers are forced to sell systematically below their production costs, the indicators, indices and methods of calculation of the final price should reflect changes in market conditions and production costs of the agricultural products delivered. ***In any case, the final price must cover or be greater than the total production cost, including fair remuneration of producers and workers and total costs for additional services;***

Reason

This should be the basic principle which should be respected in order to allow those working in the agricultural sector to make a decent living and receive fair remuneration.

Amendment 5

Recital 28

Text proposed by the Commission	CoR amendment
(28) With a view to facilitating the generational renewal in the farming sector and encouraging entrance of new producer members in producer organisations in the fruit and vegetables sector and in other sectors as referred to in Article 42, point (f), of Regulation (EU) 2021/2115, a particular incentive should be granted to young farmers and new farmers who join a producer organisation recognised under Regulation (EU) No 1308/2013. Consequently, a possible increase of 10 % of the Union financial assistance for expenditure related to investments made at the premises of a young farmer or a new producer who joins a recognised producer organisation for the first time should be made available.	(28) With a view to facilitating the generational renewal in the farming sector and encouraging entrance of new producer members in producer organisations in the fruit and vegetables sector and in other sectors as referred to in Article 42, point (f), of Regulation (EU) 2021/2115, ***which is of crucial importance for the realisation of sustainability objectives and the capacity to produce food while preserving the specificities of our regions and landscapes,*** a particular incentive should be granted to young farmers and new farmers who join a producer organisation recognised under Regulation (EU) No 1308/2013. Consequently, a possible increase of 10 % of the Union financial assistance for expenditure related to investments made at the premises of a young farmer or a new producer who joins a recognised producer organisation for the first time should be made available. ***Public measures may be required to ensure that new members and newcomers successfully enter into and remain in the agricultural sector;***

Amendment 6

Recital 29

Text proposed by the Commission	CoR amendment
(29) Given the recurrence of adverse climatic events, natural disasters, plant diseases or pest infestations in recent years, it has proven useful for producer organisations and associations of producer organisations to be able to redirect funds, including Union financial assistance within the operational fund, to interventions required to address the consequences of those events. It is therefore necessary to provide for the possibility of increasing the Union financial assistance laid down in Article 52(1) of Regulation (EU) 2021/2115 from 50 % to 70 % of the actual expenditure incurred, under certain conditions.	(29) Given the recurrence ***and greater frequency and intensity*** of adverse climatic events, natural disasters, ***water scarcity, drought and floods, wind storms,*** plant diseases or pest infestations in recent years, it has proven useful ***and necessary*** for producer organisations and associations of producer organisations to be able to redirect funds, including Union financial assistance within the operational fund, to interventions required to address the consequences of those events. It is therefore necessary to provide for the possibility of increasing the Union financial assistance laid down in Article 52(1) of Regulation (EU) 2021/2115 from 50 % to 70 % of the actual expenditure incurred, under certain conditions.

Reason

The challenge posed by the greater frequency and intensity of these adverse events should be highlighted.

Amendment 7

Article 1 of Regulation (EU) No 1308/2013

Text proposed by the Commission	CoR amendment
This Regulation establishes a common organisation of the markets for agricultural products, which means all the products listed in Annex I to the Treaties with the exception of the fishery and aquaculture products as defined in Union legislative acts on the common organisation of the markets in fishery and aquaculture products.	This Regulation establishes a common organisation of the markets for agricultural products, which means all the products listed in Annex I to the Treaties with the exception of the fishery and aquaculture products as defined in Union legislative acts on the common organisation of the markets in fishery and aquaculture products. ***This Regulation defines the public standards, market transparency rules and crisis management tools that will allow public authorities, particularly the Commission, to ensure the surveillance, management and regulation of agricultural markets.***

Reason

This change had already been suggested in the 2024 CoR opinion on the future of the EU CAP.

Amendment 8

Insert a new paragraph after Article 1 of Regulation (EU) No 1308/2013

Text proposed by the Commission	CoR amendment
	Specific objectives ***Without prejudice to the application of the general and specific objectives defined in Articles 5 and 6 of Regulation (EU) 2021/2115, and pursuant to Article 39 TFEU, the common organisation of the markets in agricultural products referred to in Article 1 shall contribute towards achieving the following specific objectives:*** ***(a) participating in the stabilisation of agricultural markets and enhancing their transparency;*** ***(b) promoting the proper functioning of the agri-food supply chain and ensuring a fair and stable income for agricultural producers;*** ***(c) improving the position of producers in the value chain and promoting the concentration of agricultural supply;*** ***(d) contributing to the improvement of economic conditions for the production and marketing of agricultural products, and strengthening the quality of European agricultural production;*** ***(e) protecting farmers from unfair competition from third countries, which is having a huge impact on consumers and farmers in Europe. Products entering the Single Market should have the same standards as the EU;***

Reason

This change had already been suggested in the 2024 CoR opinion on the future of the EU CAP.

Amendment 9

Article 148 (4)

Text proposed by the Commission	CoR amendment
Contractual relations in the milk and milk products sector	**Contractual relations in the milk and milk products sector**
4. The contract or the offer for a contract referred to in paragraphs 1 and 2 shall:	4. The contract or the offer for a contract referred to in paragraphs 1 and 2 shall:
(a) be made in advance of the delivery,	(a) be made in advance of the delivery,
(b) be made in writing, and	(b) be made in writing, and
(c) include, in particular, the following elements:	(c) include, in particular, the following elements:
(i) the price payable for the delivery, which shall:	(i) the price payable for the delivery***, which should cover or be greater than the costs of production, including fair remuneration for the producer and all costs for additional requirements, and*** which shall:
— be static and set out in the contract; or	— be static and set out in the contract; or
— be calculated by combining various factors set out in the contract, which shall include objective indicators, indices or methods of calculation of the final price, that are easily accessible and comprehensible and that reflect changes in market conditions and production costs, the quantities delivered and the quality or composition of the milk and milk products delivered. To that effect, Member States may determine indicators, in accordance with objective criteria based on studies carried out on production and the food supply chain. The parties to the contracts shall be free to refer to these indicators or any other indicators;	— be calculated by combining various factors set out in the contract, which shall include objective indicators, indices or methods of calculation of the final price, that are easily accessible and comprehensible and that reflect changes in market conditions and production costs, the quantities delivered and the quality or composition of the milk and milk products delivered. To that effect, Member States may determine indicators, in accordance with objective criteria based on studies carried out on production and the food supply chain. The parties to the contracts shall be free to refer to these indicators or any other indicators;
(ii) the volume of raw milk or the quality and quantity of milk or milk products to be delivered, and the timing of such deliveries;	(ii) the volume of raw milk or the quality and quantity of milk or milk products to be delivered, and the timing of such deliveries;
(iii) the duration of the contract, which may include a definite duration or an indefinite duration with a termination clause. In the case of a contract with a minimum duration longer than six months, the contract shall include a revision clause that may be triggered by the farmer, a producer organisation or an association of producer organisations;	(iii) the duration of the contract, which may include a definite duration or an indefinite duration with a termination clause. In the case of a contract with a minimum duration longer than six months, the contract shall include a revision clause that may be triggered by the farmer, a producer organisation or an association of producer organisations;
(iv) details regarding payment periods and procedures;	(iv) details regarding payment periods and procedures;
(v) arrangements for collecting or delivering milk or milk products; and	(v) arrangements for collecting or delivering milk or milk products; and
(vi) rules applicable in the event of force majeure.	(vi) rules applicable in the event of force majeure.

Reason

This change had already been suggested in the 2024 CoR opinion on the future of the EU CAP. This should be the basic principle which should be respected in order to allow those working in the agricultural sector to make a decent living and receive fair remuneration.

Amendment 10

Article 148(5)

Text proposed by the Commission	CoR amendment
Contractual relations in the milk and milk products sector	**Contractual relations in the milk and milk products sector**
5. By way of derogation from paragraphs 1 and 2, a written contract or a written offer for a contract shall not be required in the following cases:	5. By way of derogation from paragraphs 1 and 2, a written contract or a written offer for a contract ***shall*** not be required in the following cases:
(a) the milk or the milk products concerned are delivered by a member of a producer organisation or cooperative to the producer organisation or cooperative of which it is a member provided that the statutes of that producer organisation or cooperative or the rules and decisions provided for in, or derived from, these statutes contain provisions having similar effects to the provisions set out in paragraph 4;	(a) the milk or the milk products concerned are delivered by a member of a producer organisation or cooperative to the producer organisation or cooperative of which it is a member provided that the statutes of that producer organisation or cooperative or the rules and decisions provided for in, or derived from, these statutes contain provisions having similar effects to the provisions set out in paragraph 4;
(b) ***the first purchaser of milk or milk products is a micro or small-sized enterprise within the meaning of Recommendation 2003/361/EC[10];***	(b) the delivery and the payment for the milk or milk products take place simultaneously;
(c) the delivery and the payment for the milk or milk products take place simultaneously;	***(c)*** the delivery is made for free or in the context of the disposal of milk or milk products which are no longer fit for sale.
(d) the delivery is made for free or in the context of the disposal of milk or milk products which are no longer fit for sale.	

Reason

In order to avoid any doubt as to the compatibility of the national rules (in particular in the application of the UTP Directive) with the EU rules, it could be suggested that the derogation from the written form requirement should be envisaged as an option for the Member States, in the same way as the other optional derogations provided for in Article 1(6), numbers (2) and (6) of the proposal for a regulation amending Regulations (EU) No 1308/2013, (EU) 2021/2115 and (EU) 2021/2116.

Amendment 11

Article 152(c)

Text proposed by the European Commission	CoR amendment
(c) in paragraph 1b, the following second subparagraph is inserted:	***(c)*** in paragraph 1b, the following second subparagraph is inserted:
'By way of derogation from paragraph 1a and the first subparagraph, an association of producer organisations recognised under Article 156(1) may also carry out the activities referred to in paragraph 1a, first subparagraph, provided that:	'By way of derogation from paragraph 1a and the first subparagraph, an association of producer organisations recognised under Article 156(1) may also carry out the activities referred to in paragraph 1a, first subparagraph, provided that:
(a) its members have been recognised in accordance with paragraph 1 of this Article,	(a) its members have been recognised in accordance with paragraph 1 of this Article,

Text proposed by the European Commission	CoR amendment
(b) its members are not members of another recognised association of producer organisations for any given product,	(b) its members are not members of another recognised association of producer organisations for any given product,
(c) its members comply with the conditions of paragraph 1a, second subparagraph, points (a) and (b)**,**	(c) its members comply with the conditions of paragraph 1a, second subparagraph, points (a) and (b);
(d) the volume of products covered by the activities referred to in the first subparagraph of paragraph 1a does not exceed 33 % of the total national production of any given Member State.';	

Reason

The purpose of the proposed regulation is to favour the strengthening of the role of farmers within the supply chain through greater aggregation. It is considered contradictory to include the 33 % limit.

Amendment 12

Article 168 (5)

Text proposed by the Commission	CoR amendment
5. By way of derogation from paragraphs 1 and 2, a written contract or a written offer for a contract shall not be required in the following cases:	5. By way of derogation from paragraphs 1 and 2, a written contract or a written offer for a contract ***shall*** not be required in the following cases:
(a) The agricultural products concerned are delivered by a member of a producer organisation or cooperative to the producer organisation or cooperative of which they are a member provided that the statutes of that producer organisation or cooperative or the rules and decisions provided for in, or derived from, these statutes contain provisions having similar effects to the provisions set out in points (a), (b) and (c) of paragraph 4;	(a) The agricultural products concerned are delivered by a member of a producer organisation or cooperative to the producer organisation or cooperative of which they are a member provided that the statutes of that producer organisation or cooperative or the rules and decisions provided for in, or derived from, these statutes contain provisions having similar effects to the provisions set out in points (a), (b) and (c) of paragraph 4;
(b) ***the first purchaser of the agricultural products concerned is a micro or small-sized enterprise within the meaning of Recommendation 2003/361/EC***;	***(b)*** the delivery and payment of the agricultural products concerned take place simultaneously;
(c) the delivery and payment of the agricultural products concerned take place simultaneously;	***(c)*** the delivery is made for free or in the context of the disposal of -products which are no longer fit for sale.
(d) the delivery is made for free or in the context of the disposal of -products which are no longer fit for sale.	

Reason

The inclusion of the obligation to written contract represents an important innovation for the sector aimed at strengthening the role of farmers within the agri-food chain. Therefore, the provision should also apply when micro or small-sized enterprise are concerned.

Amendment 13

Insert a new paragraph after Article 188 of Regulation (EU) No 1308/2013

Text proposed by the Commission	CoR amendment
	Food and feed of plant and animal origin may only be imported from third countries if they comply with obligations related to the maximum residue levels (MRL) of pesticides in force for food and feed produced in the Union.

Reason

The EU must protect its farmers against unfair competition from imported products that do not meet European phytosanitary standards. This change had already been proposed in the previous CoR opinions on the CAP and on the sustainable use of pesticides.

Amendment 14

Insert a new paragraph after Article 219 of Regulation (EU) No 1308/2013

Text proposed by the Commission	CoR amendment
	Where the market price falls below a certain flexible threshold that is indexed to average production costs and set by the Agri-Food Chain Observatory (AFCO), the European Commission shall implement, depending on the market situation and the sector concerned, support for producers in the sector concerned who, over a specified period, voluntarily reduce their deliveries compared to the same period in the previous year. ***(i) The support shall be granted on the basis of applications submitted by producers in their Member State of establishment, using the method laid down by the Member State in question.*** ***(ii) In order to ensure that this scheme is implemented effectively and appropriately, the Commission shall, on the basis of data provided by AFCO, set:*** ***— the maximum total volume or quantity of deliveries to be reduced at EU level under the reduction scheme;*** ***— the duration of the reduction period and, if necessary, its extension;*** ***— the amount of support, based on the volume or quantity of the reduction, and its financing arrangements;*** ***— eligibility criteria for applicants and applications;*** ***— the specific conditions for implementing the system.*** ***Each producer who supplies a larger volume than during the reference period has to pay a market responsibility penalty according to the extent of their oversupply during the voluntary reduction programme period.***

Reason

The EU needs tools to regulate production volumes in the event of a market disturbance which take effect quickly, are inexpensive for the EU budget, and enable producers to earn a living and avoid selling at a loss, ensuring that the sector remains attractive to young people.

Amendment 15

Article 2

Amendments to Regulation (EU) 2021/2115

Text proposed by the Commission	CoR amendment
Article 52 is amended as follows:	Article 52 is amended as follows:
(a) in paragraph 3, the following point (i) is added:	(a) in paragraph 3, the following point (i) is added:
'(i) the producer organisation or association of producer organisations implements an operational programme in a Member State in which the degree of organisation of producers in the fruit and vegetables sector has been less than 10 % for three consecutive years preceding the implementation of the operational programme. The degree of organisation shall be calculated as the value of fruit and vegetable production that was obtained in the Member State concerned and marketed by producer organisations or associations of producer organisations recognised under Regulation (EU) No 1308/2013, divided by the total value of the fruit and vegetable production that was obtained in that Member State.';	'(i) the producer organisation or association of producer organisations implements an operational programme in a Member State in which the degree of organisation of producers in the fruit and vegetables sector has been less than 10 % for three consecutive years preceding the implementation of the operational programme. The degree of organisation shall be calculated as the value of fruit and vegetable production that was obtained in the Member State concerned and marketed by producer organisations or associations of producer organisations recognised under Regulation (EU) No 1308/2013, divided by the total value of the fruit and vegetable production that was obtained in that Member State.';
(b) the following paragraph 5a is inserted:	(b) the following paragraph 5a is inserted:
'5a. The 50 % limit provided for in paragraph 1 shall be increased to 60 % for expenditure linked to the objectives referred to in Article 46, points (a), (b) or (c), if the following conditions are fulfilled:	"5a. The 50 % limit provided for in paragraph 1 shall be increased to 60 % for expenditure linked to the objectives referred to in Article 46, points (a), (b) or (c), if the following conditions are fulfilled:
(a) the expenditure is related to investments in tangible and intangible assets as referred to in Article 47(1), point (a), made by young farmers or new farmers, who join a producer organisation recognised under Regulation (EU) No 1308/2013 for the first time;	(a) the expenditure is related to investments in tangible and intangible assets as referred to in Article 47(1), point (a), made by young farmers or new farmers, who join a producer organisation recognised under Regulation (EU) No 1308/2013 for the first time;
(b) the investments referred to in point (a) are made at the premises of these young farmers or new farmers as part of their first operational programme.'	(b) the investments referred to in point (a) are made at the premises of these young farmers or new farmers as part of their first operational programme.'
(c) the following paragraph 7 is added:	(c) the following paragraph 7 is added:
'7. The 50 % limit provided for in paragraph 1 shall be increased to 70 % of the actual expenditure incurred in a given year for operational programmes implemented by producer organisations or associations of producer organisations and affected in this given year by adverse climatic events, natural disasters, plant diseases or pest infestations to be identified by the Member States."	'7. The 50 % limit provided for in paragraph 1 shall be increased to 70 % of the actual expenditure incurred in a given year for operational programmes implemented by producer organisations or associations of producer organisations and affected in this given year by adverse climatic events, natural disasters, ***water scarcity, drought and floods***, plant diseases or pest infestations to be identified by the Member States.'

COM(2024) 576 final

Amendment 16

Recital 6

Text proposed by the Commission	CoR amendment
(6) Enforcement authorities should have the power to provide one another with and use in evidence in accordance with their national law any matter of fact or of law, including confidential information. Information exchanged shall only be used in evidence for the purpose of applying the rules established by Directive (EU) 2019/633 and in respect of the subject-matter for which it was collected by the transmitting authority.	(6) Enforcement authorities should have the power to provide one another with and use in evidence in accordance with their national law any matter of fact or of law, including confidential information. Information exchanged shall only be used in evidence for the purpose of applying the rules established by Directive (EU) 2019/633 and in respect of the subject-matter for which it was collected by the transmitting authority. ***Moreover, enforcement authorities should be able to act either on their own initiative or on the basis of complaints by parties affected by unfair trading practices in the agricultural and food supply chain, complaints by whistle-blowers, or anonymous complaints and should take all necessary measures to protect the identity of complainants.***

Reason

The amendment is in line with the provisions of Article 29 of Spanish Law 12/2013, of 2 August, on measures to improve the functioning of the food chain.

Amendment 17

New recital after recital 7

Text proposed by the Commission	CoR amendment
	Enforcement authorities should take a more proactive role in investigating potential UTPs, and the creation of a mediation body, such as an ombudsman should be considered in Member States not practicing it.

Reason

This framework, already established in Finland and Austria, should be more widespread in order to support farmers to navigate their UTP claim, provide an additional layer of protection for complainants and ensure the continuation of business relations in territorial contexts where changing buyers is almost impossible in some cases.

Amendment 18

Article 5(1)

Text proposed by the Commission	CoR amendment
Requests for information	**Requests for information**
1. At the request of an applicant enforcement authority, a requested enforcement authority shall, without delay, and within 60 days unless otherwise agreed, provide the applicant enforcement authority with the information requested to establish whether an unfair trading practice in	1. At the request of an applicant enforcement authority, a requested enforcement authority shall, without delay, and within 60 days unless otherwise agreed, provide the applicant enforcement authority with the information requested to establish whether an unfair trading practice in

Text proposed by the Commission	CoR amendment
the Member State of the applicant enforcement authority with a cross-border dimension has occurred or is occurring.	the Member State of the applicant enforcement authority with a cross-border dimension has occurred or is occurring. ***The applicant and the requested enforcement authorities shall also inform the complainant within a reasonable period of time after the receipt of the complaint of how they intend to follow up on the complaint.***

Reason

Enforcement authorities shall also inform the complainant within a reasonable period of time after the receipt of the complaint of how they intend to follow up on the complaint.

Amendment 19

Article 5 (3)

Text proposed by the Commission	CoR amendment
3. The information provided shall only be collected by the requested enforcement authority and used by the applicant enforcement authority in accordance with their national law.	3. The information provided shall only be collected by the requested enforcement authority and used by the applicant enforcement authority in accordance with their national law. ***Enforcement authorities may guarantee cooperation in good faith, even in the case of different national application law of Directive (EU) 2019/633.***

Reason

The spirit of cooperation between authorities should be further strengthened and also cover unfair practices that are currently only recognised by some Member States, in order to strengthen the protection of the most affected operators.

II. **POLICY RECOMMENDATIONS**

THE EUROPEAN COMMITTEE OF THE REGIONS (CoR)

1. welcomes the European Commission's legislative proposals to strengthen farmers' position in the agri-food supply chain and enhance cross-border enforcement against unfair trading practices (UTPs), however, considers that the proposed measures, while necessary, are not sufficient on their own to ensure a fair and stable income for farmers and the attainment of all the goals of the common agricultural policy (CAP).

2. reiterates that it will be impossible to make markets more fair and balanced by marginally reforming the CMO and UTP, while agreeing at the same time to the deregulation of European agricultural markets in the context of international trade agreements; therefore requests greater attention to the consistency of EU policies and the respect of the objectives of the CAP, also in line with the recommendations of the Strategic dialogue on the future of EU agriculture; insists that trade agreements must not undermine environmental and social standards and should be aligned with EU climate and sustainability commitments;

3. underlines that the EU's CAP is meant to achieve these objectives while taking into account the 'particular nature of agricultural activity, which results from the social structure of agriculture and from structural and natural disparities between the various agricultural regions' as specified in Article 39.2 (a) of the TFEU; it is therefore important to develop instruments and policies which contribute to addressing these disparities and to promoting overall territorial cohesion. In this regard, the CoR points out that the European Parliament resolution of 7 June 2022 on EU islands and cohesion policy: current situation and future challenges (2021/2079(INI)) establishes the need to give special consideration to the

agricultural sector on EU islands due to their particularly fragile situation, the extra production costs they have to bear and the limited market opportunities they can access. This requires more flexible and tailored implementation in these contexts of the measures set out in the Regulation establishing a common organisation of the markets in agricultural products (CMO);

4. highlights in this context the need to address the current imbalances within the agri-food value chain and substantially strengthen the focus on the position of farmers, in particular younger farmers and those who are at the forefront of the sustainability transition in the sector, while preparing the more fundamental reforms necessary in the Common Agricultural Policy, as indicated in previous CoR opinions;

Recommendations regarding the common market organisation

5. considers therefore that the Regulation establishing a common market organisation of agricultural products (CMO) ([1]) should be further amended in order to guarantee farmers prices that at least cover production costs, to prevent further crises and ensure that they receive fair remuneration; believes that the amendment to this Regulation should give special consideration to the situation of the agricultural sector in areas with specific geographical constraints, such as islands, and that of areas implementing more sustainable and nature-positive farming practices;

6. underlines that, although the tool of minimum intervention prices already exists, it must be strengthened and extended to other products to cover the majority of agricultural production and to ensure the link between intervention prices and production costs in order to allow it to function properly as a stabiliser; such instruments must support long-term sustainability;

7. encourages aggregation tools between small and medium-size farmers, such as the cooperative model, to increase the quality of their production and their contractual power in the agri-food supply chain, and to promote the growth of their agricultural businesses, in order to increase their commercial strength; expects further clarification and more legal certainty on the treatment of non-recognised producer organisations (PO), to ensure that the difference status does not lead to unfair competition;

8. welcomes the explicit recognition of the importance of establishing POs specifically for organic producers which should encourage Member States to favour the creation of organic POs and influence the market to take into account the specificities of the organic sector, which relies on different farming practices and a different market than the conventional sector, including through dedicated support for agroecological and organic cooperatives. Moreover, considers that allowing the production of different kinds of animals in one organic PO would be a great support for the stability of the organic sector.

9. asks for further clarification of the possible exclusion on the obligatory nature of the contract reserved for delivery of products subject to seasonal supply or demand fluctuations or perishability, because it is precisely these cases that are most exposed to unequal distribution of value, price volatility, speculative phenomena and unfair trading practices;

10. regarding the optional terms for commercial modalities, the CoR shares the objectives of promoting transparency and reliability in the food chain and of guaranteeing reliable information on the distribution of added value to farmers and consumers, including on the definition of 'short supply chains'. Suggests establishing minimum harmonised and more precise requirements at EU level for these terms. This is particularly important because of the impact which the use of these terms can have at local and regional level. Aligning the definitions with the International Fair Trade Charter and ensuring consistency with existing reference frameworks at EU or international level would improve legal certainty and the effectiveness of the terms;

([1]) Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

11. welcomes the European Commission's proposal to support the EU wine sector in the face of new challenges and to ensure Europe's wine sector remains competitive, resilient, and a vital economic force in the future; highlights the importance of establishing a set of effective targeted measures at EU level and a coherent toolbox to strengthen farmers' position in this sector which is vital in particular in many rural economies, before the next harvesting period. Points out that the measures should be in line with environmental objectives such as water conservation, pesticide reduction and protection of rural landscapes;

Crisis prevention and management

12. believes that, as demonstrated by the CoR study on the market responsibility programme in the dairy sector, market regulation is, for many sectors, more effective and less costly than the retroactive triggering of crisis measures;

13. draws attention to the negative impact on EU regions of US tariffs and restrictions on the export of agri-food products, in particular wines and spirits, pasta, dairy products and olive oil; calls on the European Commission to develop firm and coordinated action against unjustified barriers to free and fair trade and concrete and immediate measures to support the agrifood sector in order to protect European businesses, workers and consumers and to avoid further economic uncertainty, reductions in investment and job losses;

14. is convinced that in the face of an over-production crisis, it is more efficient and less costly to reduce overcapacity, rather than let an entire sector collapse in crisis; calls for these measures to be combined with support for more sustainable land use and diversification of farm income;

15. requests therefore the creation of a tool that allows aid for voluntary reduction in production to be triggered automatically as soon as certain thresholds are crossed. In this regard, calls for supply control mechanisms to be implemented more effectively in order to reduce market imbalances that have a direct impact on farmers' incomes;

16. calls on the Commission to adopt a performance framework within which to place its action in terms of crisis management. All authorities that manage European funds have their own performance framework, because this constitutes a standard European practice that guarantees good management of public action. Since the Commission is considered the managing authority in crisis management for the EAGF, it should also be able to rely on such a performance framework to evaluate the effectiveness of the crisis measures;

17. notes that 27 countries have created stockpiles since the start of the war in Ukraine, including EU countries; is of the view that the EU and Member States must set up public stocks of certain products and use them to regulate markets; notes that creating strategic agricultural reserves at EU level could be a tool to ensure food safety availability and affordability during severe times of crisis, helping to stabilise prices and crisis stocks;

Recommendations regarding unfair trading practices

18. welcomes the European Commission's proposal to enhance cross-border enforcement against UTPs to strengthen the cooperation of Member States in cases of transnational unfair activities to sanction them where possible; better enforcement of regulations combating unfair trading practices, combined with more and better monitoring, are essential for reducing such practices;

19. proposes establishing an 'EU UTPs Platform' with the presence of all Member States' designated enforcement authorities, so that they can better coordinate their work and ensure uniform conditions for the implementation of the measures established by this Regulation, in particular in cases of cross-border investigations;

20. believes it is essential to ensure rigorous enforcement on what is already prohibited as unfair trading practices, both at EU and national level, to protect our farmers and smaller suppliers against more powerful buyers that fail to adhere to rules already in place;

21. therefore, looks forward to the revision of the UTP Directive expected by the end of 2025, which should be based on those national approaches which have provided for stricter rules than those provided thus far by the EU framework; in particular, considers it necessary to extend the list of prohibited unfair practices to include resale at a loss, the inclusion of the self-preferencing prohibition, and double-race auctions, and to punish purchases at prices below production costs as requested in its opinion on UTP. Moreover, the promotion of best practices, such as the conclusion of multi-year supply chain contracts and agreements, as well as the facilitation of prompt compensation to the injured party, should be included in the overall revision of UTP Directive.

Brussels, 15 May 2025.

The President
of the European Committee of the Regions
Kata TÜTTŐ