



2021/2177(INI)

1.3.2022

OPINION

of the Committee on Agriculture and Rural Development

for the Committee on International Trade

on the EU-India future trade and investment cooperation
(2021/2177(INI))

Rapporteur for opinion: Ivan David

PA_NonLeg

SUGGESTIONS

The Committee on Agriculture and Rural Development calls on the Committee on International Trade, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- having regard to the Conventions of the International Labour Organization (ILO),
- having regard to the Convention on Biological Diversity (CBD),
- having regard to Regulation (EU) 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs¹,
- having regard to Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules²,
- having regard to Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs,
- having regard to Commission Implementing Regulation (EU) 2019/34 of 17 October 2018 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, amendments to product specifications, the register of protected names, cancellation of protection and use of symbols, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards an appropriate system of checks³,
- having regard to Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation⁴,
- having regard to 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)

¹ OJ L 343, 14.12.2012, p. 1.

² OJ L 179, 19.6.2014, p. 17.

³ OJ L 9, 11.1.2019, p. 46.

⁴ OJ L 9, 11.1.2019, p. 2.

No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007⁵,

- having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008⁶,
- having regard to Commission Regulation (EC) No 555/2008 of 27 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector⁷,
- having regard to Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560⁸,
- having regard to Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008⁹,
- having regard to Commission Delegated Regulation (EU) 2021/1235 of 12 May 2021 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council with rules concerning applications for registration of geographical indications of spirit drinks, amendments to product specifications, cancellation of the registration and the register¹⁰,
- having regard to Commission Implementing Regulation (EU) 2021/1236 of 12 May 2021 laying down rules for the application of Regulation (EU) 2019/787 of the European Parliament and of the Council concerning applications for registration of geographical indications of spirit drinks, the opposition procedure, amendments to product specifications, cancellation of the registration, use of symbol and control¹¹,

⁵ OJ L 347, 20.12.2013, p. 671.

⁶ OJ L 347, 20.12.2013, p. 549.

⁷ OJ L 170, 30.6.2008, p. 1.

⁸ OJ L 58, 28.2.2018, p. 1.

⁹ OJ L 130, 17.5.2019, p. 1.

¹⁰ OJ L 270, 29.7.2021, p. 1.

¹¹ OJ L 270, 29.7.2021, p. 10.

- having regard to Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91¹²,
 - having regard to Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council¹³,
 - having regard to Annex IX to Implementing Regulation (EU) 2021/404, which still does not include India, or list germinal products from India as being authorised for import into the EU,
 - having regard to the Commission communication of 20 May 2020 entitled ‘A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system’ (COM(2020)0381),
 - having regard to the Commission communication of 18 February 2021 entitled ‘Trade Policy Review – An Open, Sustainable and Assertive Trade Policy’ (COM(2021)0066),
 - having regard to the World Trade Organization (WTO) panel report of 14 December 2021 entitled ‘India – Measures Concerning Sugar and Sugarcane’, particularly its condemnation of India’s sugar subsidies,
 - having regard to the political and commercial significance of improving relations with India, a strategic trade partner of the EU, including on agriculture, food and geographical indications, which a free trade agreement will greatly enhance,
- A. whereas any potential trade and investment cooperation agreement should include ambitious provisions on an enforceable Trade and Sustainable Development chapter aligned with the Paris Agreement;
- B. whereas recognising the fundamental role of India as an EU trading partner and the existing good relations that can be further developed under the future agreement and provide an opportunity for European companies by improving the agricultural trade balance between the EU and India;
1. Recalls that India has been reproached at ILO Ministerial Conferences for non-compliance with ILO conventions, including in the field of agriculture and regrets the unambitious positions adopted by India at the 26th UN Climate Change Conference (COP26);
 2. Recalls that the agricultural sector is a significant part of the Indian economy, and accounts for 41 % of Indian employment; stresses that the poverty rate in rural India is

¹² OJ L 84, 20.3.2014, p. 14.

¹³ OJ L 114, 31.3.2021, p. 1.

at 25 %, twice that of its urban areas¹⁴; notes that agriculture, the source of subsistence for almost half of the Indian population, is strongly characterised by outdated production practices that are not in line with European standards;

3. Stresses the need for the EU to champion human rights and the right to food as a central principle and priority of food systems and as a fundamental tool to transform food systems; calls for the EU to implement the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas and ensure that the most marginalised have access to nutritious foods;
4. Notes that while India's legal order allows the cultivation of genetically modified organisms (GMOs) for the purpose of processing them into food and feed, its GMO regime is similar to the EU's in terms of rigorousness and strictness;
5. Notes the importance of progressing decisively in banning all antibiotics and veterinary drugs that do not conform to the *Codex Alimentarius* food standards;
6. Draws attention to the fact that India's legal order seems to impose less stringent restrictions on the agricultural use of hormonal and antimicrobial preparations, while underlining that exports to the EU of products not in compliance with relevant EU rules remain forbidden;
7. Stresses that any greater market access in a free trade agreement for Indian agricultural products should not result in giving Indian companies and multinational corporations involved in trading in Indian agricultural products and foodstuffs an unfair competitive advantage over EU farmers due to lower standards that do not comply with international law; stresses that Indian environmental and labour standards are much less stringent than those of the EU, particularly in the agricultural sector; draws attention to the need to strike a balance between, on the one hand, boosting EU-India trade relations and, on the other hand, ensuring full compliance by both parties with EU economic, social, environmental, health, safety and quality standards, with a view to protecting European citizens from agricultural products from non-EU countries that fall short of European standards and preventing unfair competition in the single market;
8. Stresses that the EU must ensure that, under the cooperation agreement with India, the level of mutual cooperation be improved and that all EU economic, social, environmental, health, safety and quality standards be respected by both parties;
9. Calls on the Commission to resume negotiations on a balanced, ambitious and comprehensive free trade agreement with robust commitments on all aspects of sustainability, including the relevant ILO conventions, the decent work agenda, key environmental conventions including the Paris COP21 commitments on climate change and cooperation on animal welfare; stresses that the trade agreement should aim to secure improved market access with a significant reduction in barriers to trade, taking into account sensitive EU products; calls for the introduction of binding mirror measures that would ensure that imported products from India conform with EU single

¹⁴ Policy Department for External Relations, Directorate General for External Policies of the Union, at the request of the Committee on International Trade, 'EU-India Trade Relations - assessment and perspectives', 2021, p. 10.

market, health, environmental, labour, climate, animal welfare, high safety and quality standards; insists that the same protection for consumers regardless of the origin of the products be ensured and that the food security of both India and the EU be respected; emphasises that, in line with the Farm to Fork strategy, any future trade agreement between India and the EU should include a dedicated framework on sustainable agri-food systems and products;

10. Draws attention to the need to ensure that imports from India, and especially agri-food products, meet EU health, safety and quality standards, including those relating to the use of hormones, antibiotics and GMOs;
11. Notes that the EU-India agricultural and food trade balance last year reached a deficit of EUR 1.8 billion, while imbalances in agricultural trade remained stable in the last decade; highlights that EU producers should be able to access the Indian market to address this imbalance;
12. Hopes that the future agreement between the EU and India will contain a commitment to ensure greater social and environmental sustainability in the agricultural sector;
13. Calls on the Commission to negotiate a separate agreement on the protection of geographical indications before negotiating an EU-India trade agreement to ensure that India properly recognise and protect all European geographical indications; stresses that the investment agreement between the EU and India should be conditional on the latter; calls on the Commission to work towards creating a comprehensive list of EU geographical indications for inclusion in the EU's negotiating mandate for the agreement with India, which would enable all Member States that have registered geographical indication products to include as many of their products (i.e. food, beverages and agricultural products) as possible on that list;
14. Urges the Commission to carry out a study of the possible economic impact of this agreement, bearing in mind that agriculture and stockbreeding in India are not subject to the EU regulations that increase the costs of production in Europe, which may lead to unfair competition, as has already been the case with other agreements with non-EU countries;
15. Recalls the existing high value duties that India has imposed on several EU agricultural products (including wine, citrus fruits, olive oil, dairy products and other fruits and vegetables), as well as the high number of non-tariff barriers that India has applied to the import of EU agricultural products; highlights that these protectionist policies regulating exports and constantly imposing import restrictions pose technical barriers to trade; notes therefore that the trade agreement is a real opportunity to gain access to this major and rapidly growing market and calls on the Commission to negotiate a reduction or removal of the existing tariff for EU agricultural products;
16. Calls on the Commission to ensure that the text of the agreement, as consistently done in previous EU free trade agreements, protects the EU's common single market by preventing:
 - (i) the importation of non-authorised GMOs in foodstuffs, feed and seeds;

- (ii) the importation of agricultural products and foodstuffs with higher levels of pesticide residues than allowed for in EU law, through the systemic application of EU rules on maximum residue limits;
 - (iii) the importation of agricultural products and foodstuffs produced using hormonal preparations banned in the EU;
 - (iv) the introduction of antimicrobial-resistant strains of microbes;
17. Recalls that, on 14 December 2021, India incurred WTO disapproval on account of the enormous subsidies granted to its sugar production and export activities; calls therefore for the suspension of the 10 000 MT CXL quota for Indian sugar, as a review of subsidies that breach WTO rules is not being envisaged; requests that the upcoming EU-India trade negotiations make sure that WTO-incompatible sugar subsidies be removed;
18. Considers that the EU should support developing countries to help them reduce the imprudent use of pesticides and promote other methods to protect plants and fishery resources; notes, in this respect, that agri-food products from non-EU countries must be subject to the same requirements as domestic producers, including zero-tolerance of residues of substances meeting the cut-off criteria.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	1.3.2022
Result of final vote	+: 40 -: 6 0: 1
Members present for the final vote	Mazaly Aguilar, Clara Aguilera, Atidzhe Alieva-Veli, Álvaro Amaro, Attila Ara-Kovács, Carmen Avram, Adrian-Dragoş Benea, Benoît Biteau, Mara Bizzotto, Daniel Buda, Asger Christensen, Angelo Ciocca, Ivan David, Paolo De Castro, Jérémy Decerle, Salvatore De Meo, Herbert Dorfmann, Luke Ming Flanagan, Dino Giarrusso, Francisco Guerreiro, Martin Häusling, Martin Hlaváček, Krzysztof Jurgiel, Jarosław Kalinowski, Elsi Katainen, Hélène Laporte, Camilla Laureti, Gilles Lebreton, Norbert Lins, Colm Markey, Marlene Mortler, Ulrike Müller, Maria Noichl, Juozas Olekas, Eugenia Rodríguez Palop, Bronis Ropé, Anne Sander, Petri Sarvamaa, Simone Schmiedtbauer, Annie Schreijer-Pierik, Marc Tarabella, Veronika Vrecionová, Sarah Wiener, Juan Ignacio Zoido Álvarez
Substitutes present for the final vote	Zbigniew Kuźmiuk, Alin Mituța, Pina Picierno

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ECR	Mazaly Aguilar, Krzysztof Jurgiel, Zbigniew Kuźmiuk, Veronika Vrecionová
ID	Mara Bizzotto, Angelo Ciocca
NI	Dino Giarrusso
PPE	Álvaro Amaro, Daniel Buda, Salvatore De Meo, Herbert Dorfmann, Jarosław Kalinowski, Norbert Lins, Colm Markey, Marlene Mortler, Anne Sander, Petri Sarvamaa, Simone Schmiedtbauer, Annie Schreijer-Pierik, Juan Ignacio Zoido Álvarez
Renew	Atidzhe Alieva-Veli, Asger Christensen, Martin Hlaváček, Elsi Katainen, Alin Mituța, Ulrike Müller
S&D	Clara Aguilera, Attila Ara-Kovács, Carmen Avram, Adrian-Dragoș Benea, Paolo De Castro, Camilla Laureti, Juozas Olekas, Pina Picierno, Marc Tarabella
Verts/ALE	Benoît Biteau, Francisco Guerreiro, Martin Häusling, Bronis Ropè, Sarah Wiener

6	-
ID	Ivan David, Hélène Laporte, Gilles Lebreton
Renew	Jérémy Decerle
The Left	Luke Ming Flanagan, Eugenia Rodríguez Palop

1	0
S&D	Maria Noichl

Key to symbols:

+ : in favour

- : against

0 : abstention