

# PROPOSED REPLACEMENT EU ACT REVISED ASSESSMENT OF IMPACT

Date: 14<sup>th</sup> April 2026

DSC REF: Original reference DSC/01a/2025, New Reference COM/2024/577

## Proposed Replacement EU Act

[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, published 10.12.2024)

This Regulation proposes to amend parts of [Regulation \(EU\) 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](#). Only the proposed amendments to Section 1 of Title II Part II and Annex VII of Regulation (EU) No 1308/2013 relating to marketing standards and food labelling are relevant to the Windsor Framework. The rest of the changes being made are not relevant to the Windsor Framework.

## Summary of the Act

The Regulation seeks to strengthen the position of farmers in the agri-food supply chain by: (i) simplifying the rules on recognition of producer organisations; (ii) reinforcing the rules on contractualisation; (iii) setting out rules on the use of cross-sectoral optional terms for “fair”, “equitable” and equivalent terms, as well as for “short supply chains”; (iv) introducing the possibility to grant Union financial support to Member States for measures undertaken by operators in periods of severe market imbalances; (v) improving the degree of organisation of the farming sector in Member States by supporting producer organisations implementing operational programmes, and encouraging involvement in sectoral interventions in the other sectors as referred to in Article 42(f) of Regulation (EU) 2021/2115, and (vi) restricting the use of certain terms for products derived from meat.

### *Summary regarding original draft of Proposal*

As originally drafted, the only part of this proposed Regulation that fell within scope of the Windsor Framework was the new Article 88a in Regulation (EU) 1308/2013 (known as the Common Market Organisation Regulation or CMO).

This new Article lays down minimum requirements on the use of optional reserved terms “fair”, “equitable” or terms equivalent to these terms on the labelling, in the presentation, on advertising material or on commercial documents of agricultural products. This is intended to increase the transparency and reliability of the use of those terms in the food supply chain. There are also restrictions on the use of the term “short supply chain”, to aid transparency regarding the origin and production methods of the products and to incentivise consumers to pay prices that fairly remunerate farmers for what they produce.

These are optional reserved terms that can be used for value-adding product features or production processes and complement existing food labelling. These rules would apply to a wide range of agricultural products detailed in Annex A.

### *Summary regarding final compromise text*

The European Parliament and Council reached political agreement on the proposed Regulation at trilogue on 5 March 2026, with the [published final compromise text](#) issued on 19 March 2026. The text of the proposed Regulation now includes additional amendments to the CMO to:

- (i) Amend Article 75(3)(j) to allow for country of origin labelling rules to be specified for poultrymeat and spreadable fats, and
- (ii) Amend Article 78 and Annex VII to provide new legal definitions of “meat” and “meat products” and to restrict the use of 31 meat-related terms. Those terms are “beef, veal, pork, poultry, chicken, turkey, duck, goose, lamb, mutton, ovine, goat, drumstick, tenderloin, sirloin, flank, loin, ribs, shoulder, shank, chop, wing, breast, thigh, brisket, ribeye, T-bone, rump, bacon, steak, liver.” The amendments also provide the Commission with the power to adopt future delegated acts to enable derogations for products “*whose exact nature is clear due to an established long term use and does not cause any possible confusion to the consumer*”.

The stated purpose of the amendments at point (ii) is to protect meat-related terms to enhance transparency in the internal market as regards the food composition and nutritional content and ensure that consumers can make well-informed choices, particularly for those seeking a specific nutritional content that is traditionally associated with meat products. Therefore, for the purposes and within the scope of this regulation, ‘meat’ should mean the edible parts of animals.

The proposed amendments to the CMO regarding the use of the new optional terms (‘fair’, ‘equitable’, and ‘short supply chain’), and the proposed amendments regarding origin labelling and meat-related terms fall under Annex 2 of the Windsor Framework.

If these proposed new provisions were to apply in Northern Ireland, it is the Department's assessment that any business that wishes to use the terms 'fair', 'equitable', or terms equivalent; on the labelling, in the presentation of, on advertising material, or on commercial documents of a product of the applicable sectors (see Annex A); would have to comply with the conditions at Article 88a (1). Those businesses that wish to use the term 'short supply chain' on the labelling, in the presentation of, on advertising material, or on commercial documents of a product of the same sectors; would have to comply with the conditions at Article 88a (2).

Similarly, the use of the meat-related terms would be restricted in accordance with Article 78 and the new Part Ia of Annex VII.

The first reading of the revised COM/2024/577 in the EU Parliament is scheduled for 18 May 2026.

### **Department(s) Responsible**

DAERA.

### **Assessment of Impact**

#### *Initial Assessment of Impact of the original proposal*

It is not likely that the proposed amendments would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

It is not likely that not applying the replacement EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

The use of an optional term on the labelling or in the marketing of a product enables clearer communication to the consumer of the added value of the product by its specific characteristics or farming or processing attribute. The new Article 88a establishes minimum requirements for the use of the optional terms 'fair', 'equitable' or equivalent terms and 'short supply chain' to describe a particular product.

The regulation of these new terms extends to anyone selling the applicable products and has a much broader application than those "optional reserved terms" currently regulated for under Article 88 and Annex IX of Regulation 1308/2013, which concern value-adding production characteristics in the

poultrymeat, egg and olive oil sectors (e.g. terms such as “free range”, “fresh”, and “first cold press”).

However, since these new terms have never been regulated before, and in advance of any specific UK stakeholder feedback, it is difficult to assess the potential uptake of such terms or the extent of the Regulation’s likely impact.

Furthermore, paragraphs 3 and 4 of the proposed new Article 88a grant the Commission the power to adopt implementing or delegated acts to specify further conditions under which these terms can be used, or to add terms that are considered equivalent and subject to the Article’s conditions. It is the initial view of the Department that any such future acts would be automatically applicable to Northern Ireland under the Windsor Framework if the proposed new Article 88a applies in Northern Ireland. The Department would assess the implications of any such acts, including any proposed enforcement or reporting arrangements set out therein, when available.

*Further assessment in relation to changes in the final compromise text*

The amendment to Article 75(3)(j) regarding origin labelling means that, at a later date, place of farming and/or origin obligations could be introduced for poultrymeat and spreadable fats. Therefore, at present, these amendments do not alter the regulatory position of these goods. The proposed amendment appears to be a technical tidy-up to align the CMO with other EU regulations. Country of origin labelling for poultrymeat is already a requirement under the Food Information to Consumers Regulation 1169/2011 and Regulation (EU) 1337/2013.

The application of the proposal’s definition of meat and meat products would apply to all such products produced in Northern Ireland, and those sold in Northern Ireland outside of the Northern Ireland Retail Movement Scheme (NIRMS). Local producers of vegetarian or vegan products which use any of the meat-related terms would have to alter their marketing and labelling/packaging if it did not comply (e.g. if they use the phrase ‘vegan plant-based bacon rashers’ on their packaging). However, such producers would have 3 years before these provisions enter into force.

## **UK Government Explanatory Memorandum**

An Explanatory Memorandum was shared with the Committee on [27 February 2025](#).

Defra and DAERA officials respectively would likely develop another Explanatory Memorandum and Assessment of Impact on businesses in NI, once the proposed Regulation is finalised and adopted.

### **Analysis by the European Commission on its Impact Assessment**

The European Commission did not conduct an impact assessment in view of the urgency to act to respond to the pressing challenges that the agricultural sector is currently facing. The impact of the proposal will depend on the take-up of certain voluntary measures by farmers and buyers of agricultural products, as well as on the decisions of Member States to make use of the options and derogations provided.

The proposed measures were developed on the basis of input received from stakeholders, in particular the enlarged Civil Dialogue Group meeting, the European Network of the Competition authorities and in bilateral meetings involving all relevant EU based associations within the agri-food supply chain, including consumers, as well as from the Chairman of the European Parliament's Committee for agriculture and rural development.

The Commission ran an 8-week period of consultation from 13 January until 10 March 2025 via the 'Have Your Say' portal. NI stakeholders were able to respond to that consultation. A total of 115 responses were received by the Commission's closing date; one response was received from an Irish stakeholder; no responses were received from the UK. Stakeholders broadly welcomed the Commission's proposals/objectives. Comments and concerns raised included the definition and control of the optional terms, the potential for inconsistency with established international e.g. "Fair Trade" and national requirements e.g. in French law; their uniform application to EU and imported produce, as well as the appropriate legislative vehicle for introduction of such labelling terms and the lack of an impact assessment.

In the provisionally agreed text of the Proposal the application of the rules relating to the reservation of the optional terms 'fair', 'equitable', and their equivalent terms, and the term 'short supply chains', will be deferred by 2 years after the entry into force of this Regulation in order to give market operators the necessary time to adapt and to allow the Commission to assess existing national schemes and practices.

Similarly, the application of the definitions and reserved designations for meat and meat products will be deferred by three years after the entry into force of this Regulation. Products that have been produced or imported in accordance with the rules applicable before that date should, however, be allowed to continue to

be marketed or for a maximum period of three years from that date or until the exhaustion of stocks, whichever occurs first.

### **Departmental Engagement**

This Proposal, and the initial DAERA Assessment of Impact, was previously considered by the Democratic Scrutiny Committee (DSC) at its meeting on 20 February 2025, when the Committee agreed to monitor the Proposal. DAERA subsequently provided an updated Assessment, including a DAERA summary of responses to the EU 'Have Your Say' consultation on 7 April 2025.

In addition, the DSC considered COM (2025)553, which includes similar amendments regarding restriction of meat related terms, at its meeting on 29 January 2026 and is currently monitoring that Proposal too.

There has been engagement with Defra regarding the preparation of the initial DAERA Impact Assessment and the Defra Explanatory Memorandum for the proposed Regulation and also the amendments within the provisionally agreed text of the Regulation. Policy officials will continue to engage with Defra as the Regulation is finalised and further information is released.

**Annex A – List of products that Article 88a would apply to**

Proposed by 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;

- cereals
- rice
- sugar
- dried fodder
- seeds
- hops
- olive oil and table olives
- flax and hemp
- fruit and vegetables
- processed fruit and vegetable products
- bananas
- wine
- live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage
- tobacco
- beef and veal
- milk and milk products
- pigmeat
- sheepmeat and goatmeat
- eggs
- poultrymeat
- ethyl alcohol of agricultural origin
- apiculture products
- silkworms
- other products