Commission Delegated Regulation (EU) No 1371/2014 of 19 December 2014 amending Delegated Regulation (EU) No 1031/2014 laying down further temporary exceptional support measures for producers of certain fruit and vegetables

COMMISSION DELEGATED REGULATION (EU) No 1371/2014

of 19 December 2014

amending Delegated Regulation (EU) No 1031/2014 laying down further temporary exceptional support measures for producers of certain fruit and vegetables

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007[(1)], and in particular Article 219(1) in conjunction with Article 228 thereof,

Whereas:

(1) On 7 August 2014 the Russian government introduced a ban on imports of certain products from the Union to Russia, including fruit and vegetables.

(2) In order to prevent the resulting disturbance of the market for fruit and vegetables, where large quantities of perishable products are involved, from turning into a more severe or prolonged market disturbance, Commission Delegated Regulation (EU) No 932/2014[(2)] was adopted. It provided for maximum amounts of support for withdrawal, non-harvesting and green harvesting operations. The mechanism introduced by that Regulation was subsequently supplemented by measures under Commission Delegated Regulation (EU) No 1031/2014[(3)] in the form of additional, targeted support for certain quantities of products, calculated on the basis of traditional exports to Russia.

(3) The Russian import ban continues to create a serious threat of market disturbances caused by significant price falls due to the fact that an important export market has suddenly become unavailable. For such a market situation, the normal measures available under Regulation (EU) No 1308/2013 still appear to be insufficient. The mechanism based on support for certain quantities of products under Delegated Regulation (EU) No 1031/2014 needs therefore to be prolonged.

(4) Taking the estimated quantities affected by the ban into account, the Union financial assistance should be prolonged in accordance with the quantities of products concerned. The calculation of those quantities should be made for each Member State in accordance with the level of its average exports to Russia of the products concerned for the previous three years in the following months: April and May for fruit and January to May for vegetables. Furthermore, due to their seasonal exports, lemons of CN code 0805 50 10

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 1371/2014. (See end of Document for details)*

should be added to the list of products eligible for support under Delegated Regulation (EU) No 1031/2014.

(5) Delegated Regulation (EU) No 1031/2014 should therefore be amended accordingly.

(6) In order to have an immediate impact on the market and to contribute to stabilise prices, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Delegated Regulation (EU) No 1031/2014

Delegated Regulation (EU) No 1031/2014 is amended as follows:

(1) Article 1 is amended as follows:

(a) in paragraph 2, the following point (r) is added:

(r) lemons of CN code 0805 50 10.;

(b) paragraph 3 is replaced by the following:

3. The support referred to in paragraph 1 shall cover activities carried out in a period which shall be subdivided as follows:

a a period from 30 September 2014 until the date on which the quantities referred to in Article 2(1) have been exhausted in each Member State concerned or 31 December 2014, whichever is earlier;

b a period from 1 January 2015 until the date on which the quantities referred to in Article 2(1) have been exhausted in each Member State concerned or 30 June 2015, whichever is earlier..

(2) In Article 2, paragraph 1 is replaced by the following:

1. The support referred to in Article 1(1) shall be made available to Member States for the following quantities of products:

a for the period referred to in Article 1(3)(a), the quantities set out in Annex I;

b for the period referred to in Article 1(3)(b), the quantities set out in Annex Ia.

For the period referred to in Article 1(3)(a), that support shall also be available in all Member States for withdrawal, green harvesting or non-harvesting operations, with respect to one or more of the products referred to in Article 1(2) as determined by the Member State, provided that the additional quantity involved does not exceed 3 000 tonnes per Member State..

(3) Article 9 is amended as follows:

(a) paragraphs 1 and 2 are replaced by the following:

1. Producer organisations shall apply for the payment of the Union financial assistance referred to in Articles 4, 5 and 6 by 31 January 2015 in respect of operations carried out during the period referred to in Article 1(3)(a) and by 31 July 2015 in respect of operations carried out during the period referred to in Article 1(3)(b).

2 Producer organisations shall apply for the payment of the total Union financial assistance referred to in Article 4 and 6 of this Regulation in accordance with the procedure referred to in Article 72 of Implementing Regulation (EU) No 543/2011 by 31 January 2015 in respect of operations carried out during the period referred to in Article 1(3)(a) of this Regulation and by 31 July 2015 in respect of operations carried out during the period referred to in Article 1(3)(b) of this Regulation.;

(b) in paragraph 3, the words ‘by the date referred to in paragraph 1’ are replaced by ‘by the dates referred to in paragraph 1’.

(4) In Article 10(1), the introductory part of the first subparagraph is replaced by the following:

By 30 September 2014, 15 October 2014, 31 October 2014, 15 November 2014, 30 November 2014, 15 December 2014, 31 December 2014, 15 January 2015, 31 January 2015 and 15 February 2015 in respect of the period referred to in Article 1(3)(a) and, until 30 September 2015, by the 15th and the last day of each month in respect of the period referred to in Article 1(3)(b), Member States shall notify the Commission of the following information for each product:.

(5) Article 11 is replaced by the following:

Article 11

Payment of Union financial assistance

Member States' expenditure in relation to the payments under this Regulation shall only by eligible for Union financial assistance if it has been paid by the following dates:

(a) 30 June 2015 in respect of operations carried out during the period referred to in Article 1(3)(a);

(b) 30 September 2015 in respect of operations carried out during the period referred to in Article 1(3)(b)..

(6) The title of Annex I is replaced by the following:

Maximum quantities of products allocated per Member State as referred to in Article 2(1)(a).

(7) Annex Ia is inserted, the text of which is set out in Annex I to this Regulation.

(8) Annexes III and IV are replaced by the text set out in Annex II to this Regulation.

Article 2

Entry into force

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 1371/2014. (See end of Document for details)*

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 December 2014.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 1371/2014. (See end of Document for details)*

ANNEX I

ANNEX Ia

Maximum quantities of products allocated per Member State as referred to in Article 2(1)(b)

(tonnes)	Apples and pears	Plums, table grapes and kiwifruit	Tomatoes, carrots, sweet peppers, cucumbers and gherkins	Oranges, clementines, mandarins and lemons
Belgium	21 200	0	13 200	0
Germany	3 450	0	0	0
Greece	200	3 100	2 000	0
Spain	300	0	26 650	15 775
France	3 800	0	1 450	0
Italy	8 400	3 800	0	0
Cyprus	0	0	0	1 750
Lithuania	0	0	6 000	0
Netherlands	9 700	0	24 650	0
Austria	500	0	0	0
Poland	155 700	0	18 650	0
Portugal	350	0	0	0

ANNEX II

ANNEX III

Templates for notifications as referred to in Article 10

NOTIFICATION ON WITHDRAWALS — FREE DISTRIBUTION

Member State:	Period covered:	Date:

Produc	Producer organisations					Producer non-members					Total quantities (t)	Total Union financial assistance (EUR)
	Quantities (t)	Union financial assistance (EUR)				Quantities (t)	Union financial assistance (EUR)					
		withdrawals	transport	sorting and packing	TOTAL		withdrawals	transport	sorting and packing	TOTAL		

* One different Excel sheet shall be completed for every notification.