Commission Implementing Regulation (EU) No 1419/2013 of 17 December 2013 concerning the recognition of producer organisations and inter-branch organisations, the extension of the rules of producer organisations and inter-branch organisations and the publication of trigger prices as provided for by Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products

COMMISSION IMPLEMENTING REGULATION (EU) No 1419/2013

of 17 December 2013

concerning the recognition of producer organisations and inter-branch organisations, the extension of the rules of producer organisations and inter-branch organisations and the publication of trigger prices as provided for by Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products[(1)], and in particular Articles 21, 27 and 32 thereof,

Whereas:

(1) Regulation (EU) No 1379/2013 provides for the recognition of producer organisations and inter-branch organisations, the extension of rules of producer organisations and inter-branch organisations, and the fixation of the prices triggering the storage mechanism.

(2) It is necessary to specify the time-limits, procedures and the form of applications for the recognition and the withdrawal of recognition of producer organisations and inter-branch organisations, and the format, time-limits and procedures of the communication by Member States to the Commission of their decisions to grant or withdraw recognition.

(3) It is necessary to specify the format and procedure of the notification by the Member States to the Commission of the rules of producer organisations or inter-branch organisations they intend to make binding on all producer organisations or operators in a specific area or in specific areas.

(4) It is necessary to specify the format of the publication by Member States of the trigger prices to be applied by producer organisations recognised in their territories.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Examination Committee for fishery and aquaculture products,

HAS ADOPTED THIS REGULATION:

Changes to legislation: There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 1419/2013. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 1

Definitions

For the purposes of this Regulation, the following definitions apply:

(a) 'producer organisations' means fishery and aquaculture producer organisations and associations thereof, established pursuant to Articles 6 and 9 of Regulation (EU) No 1379/2013;

(b) 'inter-branch organisations' means organisations of operators established pursuant to Article 11 of Regulation (EU) No 1379/2013.

Article 2

Time-limits, procedures and form of applications for the recognition of producer organisations and inter-branch organisations

1 Within three months of receipt of an application for recognition pursuant to Articles 14 and 16 of Regulation (EU) No 1379/2013, the Member State concerned shall inform the producer organisation or the inter-branch organisation in writing of its decision. If recognition is refused, the Member State shall give reasons for the refusal.

2 The form of applications for the recognition of producer organisations and inter-branch organisations shall be as set out in Annex I.

Article 3

Time-limits and procedure for the withdrawal of recognition of producer organisations and inter-branch organisations

When a Member State intends to withdraw the recognition of a producer organisation or an inter-branch organisation pursuant to Article 18 of Regulation (EU) No 1379/2013, it shall notify that intention to the organisation concerned together with the reasons for the withdrawal. The Member State shall allow the producer organisation or the inter-branch organisation concerned to submit its observations within two months.

Article 4

Format, time-limits and procedures for communicating decisions to grant or withdraw recognition

1 The format of the communication by Member States to the Commission of their decisions to grant or withdraw recognition of producer organisations or inter-branch organisations pursuant to Articles 14, 16 or 18 of Regulation (EU) No 1379/2013 shall be as set out in Annex II.

2 Member States shall transmit the communication of a decision referred to in the first paragraph within two months of the date of that decision.

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 1419/2013. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[[F1]3 Communications shall be transmitted in the form of a XML file, one for each communication. The XML file shall be sent as an attachment to the email address provided by the Commission with the subject: communication on POs/IBOs.**]**

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2018/390 of 12 March 2018 amending Implementing Regulation (EU) No 1419/2013 concerning the recognition of producer organisations and inter-branch organisations, the extension of the rules of producer organisations and inter-branch organisations and the publication of trigger prices as provided for by Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products.

Article 5

Format and procedure of the notification by the Member States of the rules they intend to make binding on all producers or operators

1 The format of the notification by Member States to the Commission of the rules of producer organisations or inter-branch organisations which they intend to make binding on all producers or operators in a specific area or in specific areas, as provided for in Articles 22 and 23 of Regulation (EU) No 1379/2013, shall be as set out in Annex III.

2 Member States shall transmit the notification to the Commission at least two months in advance of the intended date of entry into force of the extension of rules.

3 Any intended modification to the rules made binding to all producers or operators shall be notified in in accordance with paragraphs 1 and 2.

Article 6

Format of the publication of trigger prices

The format of the publication by Member States of the trigger prices referred to in Article 31(4) of Regulation (EU) No 1379/2013 shall be as set out in Annex IV to this Regulation.

Article 7

Entry into force

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

It shall apply from 1 January 2014.

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

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 1419/2013. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX I

FORM OF APPLICATIONS FOR RECOGNITION

Information to be included in the applications for recognition of producer organisations and inter-branch organisations:

(a) the constitution of the producer organisation or inter-branch organisation;

(b) the rules of internal functioning in accordance with the principles laid down in Article 17 of Regulation (EU) No 1379/2013;

(c) the names of persons with authority to act for and on behalf of the producer oragnisation or inter-branch organisation;

(d) evidence that the producer organisation or inter-branch organisation complies with the conditions laid down in Articles 14(1) and 16(1) of Regulation (EU) No 1379/2013, respectively;

(e) detail of the activities carried out by the producer organisation or inter-branch organisation including the area of activity and the fishery and aquaculture products for which recognition is sought.

ANNEX II

FORMAT OF COMMUNICATION OF DECISIONS TO GRANT OR WITHDRAW RECOGNITION

Information to be included in the communication by Member States to the Commission of their decisions to grant or withdraw recognition:

Name of zone	Element name[a]	Maximum number of characters	Definition and comments
Member State	MS	3	Member State (Alpha —3 ISO code) communicating the decision to grant or withdraw recognition
Type of organisation	TO	3	**PO**: producer organisation; **APO**: association of producer organisations; **IBO**: inter-branch organisation
Registering number	RN	—	Number under which the organisation has been registered

a These elements shall be placed inside root element named ORG. Name space shall be: urn:xeu:mare:grant-withdrawal-recognition-organisation:v1.