Commission Regulation (EU) No 557/2010 of 24 June 2010 amending Regulations (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 239/2007, (EC) No 1299/2007, (EC) No 543/2008, (EC) No 589/2008, (EC) No 617/2008 and (EC) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets

COMMISSION REGULATION (EU) No 557/2010

of 24 June 2010

amending Regulations (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 239/2007, (EC) No 1299/2007, (EC) No 543/2008, (EC) No 589/2008, (EC) No 617/2008 and (EC) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1964/2005 of 29 November 2005 on the tariff rates for bananas[(1)], and in particular Article 2,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)[(2)], and in particular Article 43, Article 121 points (d), (e), and (f), Articles 127, 134, and Article 192(2), in conjunction with Article 4 thereof,

Whereas:

(1) Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments' regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands[(3)] lays down common rules for notifying information and documents by the competent authorities of the Member States to the Commission. Those rules cover in particular the obligation for the Member States to use the information systems made available by the Commission and the validation of the access rights of the authorities or individuals authorised to send communications. In addition, that Regulation sets common principles applying to the information systems so that they guarantee the authenticity, integrity and legibility over time of the documents and provides for personal data protection.

(2) Pursuant to Regulation (EC) No 792/2009 the obligation to use the information systems in accordance with that Regulation has to be provided for in the Regulations establishing a specific notification obligation.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) No 557/2010. 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*

(3) The Commission has developed an information system that allows managing documents and procedures electronically in its own internal working procedures and in its relations with the authorities involved in the common agricultural policy.

(4) It is considered that some notification obligations can already be fulfilled via that system in accordance with Regulation (EC) No 792/2009, in particular those provided for in Commission Regulations (EC) No 1518/2003 of 28 August 2003 laying down detailed rules for implementing the system of export licences in the pigmeat sector[(4)], (EC) No 596/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licences in the egg sector[(5)], (EC) No 633/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licences in the poultrymeat sector[(6)], (EC) No 1345/2005 of 16 August 2005 laying down detailed rules for the application of the system of import licences for olive oil[(7)], (EC) No 2014/2005 of 9 December 2005 on licences under the arrangements for importing bananas into the Community in respect of bananas released into free circulation at the common customs tariff rate of duty[(8)], (EC) No 239/2007 of 6 March 2007 laying down detailed rules for the application of Regulation (EEC) No 404/93 as regards the requirements for communications in the banana sector[(9)], (EC) No 1299/2007 of 6 November 2007 on the recognition of producer groups for hops[(10)], (EC) No 543/2008 of 16 June 2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat[(11)], (EC) No 589/2008 of 23 June 2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for eggs[(12)], (EC) No 617/2008 of 27 June 2008 laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks[(13)] and (EC) No 826/2008 of 20 August 2008 laying down common rules for the granting of private storage aid for certain agricultural products[(14)].

(5) Article 5 of Regulation (EC) No 1299/2007 lays down the obligation for the Commission to publish the whole list of recognized producer groups for hops in the beginning of each calendar year in the *Official Journal of the European Union*. It is appropriate to use modern information systems to make those lists known to the public. Furthermore, for reasons of clarity, the content of the information should be specified in that Regulation.

(6) The obligation for the Member States pursuant to Article 12(6) of Regulation (EC) No 543/2008, to make available the lists of approved slaughterhouses, as well as the changes to those lists, should be simplified in order to reduce administrative burden.

(7) The conditions under which the Member States should notify under the obligation provided for in Article 37 of Regulation (EC) No 589/2008 should be better specified. Any reference to the communication from the Commission to the Member States can be considered superfluous and should thus not be reproduced for reasons of clarity.

(8) The information that Member States have to submit to the Commission pursuant to Article 8(1), (2) and (3) and Article 11 of Regulation (EC) No 617/2008, are to be sent both to EUROSTAT and to Directorate-General for Agriculture and Rural development. This was an excessive burden for the Member States and should thus be arranged in

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a way that Member States communicate the required data only to EUROSTAT. For reasons of coherence and good administration, the communications concerned should be made by electronic means to the single entry point for data at Eurostat, in conformity with the technical specifications provided by the Commission (Eurostat).

(9) Article 4 of Regulation (EC) No 826/2008 provides that the Member States have to report to the Commission certain data referred to in Part A of Annex III to that Regulation for the purposes of granting aid to olive oil as provided for in Article 33 of Regulation (EC) No 1234/2007. For reasons of clarity it should be established that only Member States producing olive oil should be requested to send those data.

(10) Regulations (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 239/2007, (EC) No 1299/2007, (EC) No 543/2008, (EC) No 589/2008, (EC) No 617/2008 and (EC) No 826/2008 should therefore be amended accordingly.

(11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

[F1]Article 1

. . . . . .

Textual Amendments

F1 Deleted by Commission Implementing Regulation (EU) No 1373/2013 of 19 December 2013 laying down detailed rules for implementing the system of export licences in the pigmeat sector (codification).

Article 2

Regulation (EC) No 596/2004 is amended as follows:

1. Article 7 is amended as follows:

   (a) In paragraph 1, the introductory phrase is replaced by the following:

   By Friday each week, Member States shall notify the Commission of the following information:

   (b) Paragraph 4 is deleted.

2. In Article 8, paragraph 3 is replaced by the following:

3. Member States shall notify the Commission, by Friday each week of the number of *ex post* export licences applied for, during the current week, including “nil” notifications. The notifications shall specify, where applicable, the details referred to in Article 7(2).

3. The following Article 8a is inserted:

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Article 8a

The notifications referred to in this Regulation, including "nil" notifications, shall be made in accordance with Commission Regulation (EC) No 792/2009[15].

4. Annex II is deleted.

Article 3

Regulation (EC) No 633/2004 is amended as follows:

1. Article 7 is amended as follows:

   (a) In paragraph 1 the introductory phrase is replaced by the following:

   By Friday each week, Member States shall notify the Commission of the following information:

   (b) Paragraph 4 of is deleted.

2. Paragraph 3 of Article 8 is replaced by the following:

3. Member States shall notify the Commission, by Friday each week of the number of *ex post* export licences applied for during the current week, including "nil" notifications. The notifications shall specify, where applicable, the details referred to in Article 7(2).

3. The following Article is inserted:

Article 8a

The notifications referred to in this Regulation, including "nil" notifications, shall be made in accordance with Commission Regulation (EC) No 792/2009[16].

4. Annex II is deleted.

Article 4

Regulation (EC) No 1345/2005 is amended as follows:

1. In Article 4, paragraph 2 is replaced by the following:

2. The notifications referred to in point a of first subparagraph of Article 4(1), including "nil" notifications, shall be made by the Member States by electronic means using the form made available to them by the Commission.

The notifications referred to in point b of first subparagraph of Article 4(1) and in the second subparagraph of Article 4(1), including "nil" notifications, shall be made in accordance with Commission Regulation (EC) No 792/2009[17].

2. The Annex is deleted.

Article 5

Article 2 of Regulation (EC) No 2014/2005 is amended as follows:

1. In paragraph 1, point (a) is replaced by the following:

   (a) by Wednesday each week: wholesale prices for yellow bananas, broken down by country of origin or group of countries of origin, as recorded