

Outermost regions: specific measures for agriculture

2009/0138(COD) - 07/07/2010 - Final act

PURPOSE: to extend to the Azores, Madeira and the Canary Islands and the French overseas departments certain derogations as regards agricultural products as set out Council Regulation (EC) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union.

LEGISLATIVE ACT: Regulation (EU) No 641/2010 of the European Parliament and of the Council amending Council Regulation (EC) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union.

CONTENT: following a first-reading agreement with the European Parliament under the ordinary legislative procedure, the Council adopted a regulation amending regulation 247/2006 on specific measures for agriculture in the outermost regions of the EU.

The new regulation provides for the **extension of some derogations on agricultural products provided for by the initial regulation to the Azores, the Canary Islands, Madeira and the French outermost regions.**

The main provisions of the Regulation are as follows:

Sugar: Council Regulation (EC) No 247/2006 allowed, for a period of four years, the dispatching of sugar from the Azores to the rest of the Union in quantities exceeding the traditional flows. Acknowledging that the diversification of agriculture in the Azores could be advantageous and with a view, consequently, to facilitating such diversification, in particular with regard to the phasing out of the milk quota system, it is necessary to take appropriate measures to support the restructuring of the sugar sector in that region. To this end, to allow the local sugar processing industry to be viable, it is appropriate to allow the redispaching of sugar in quantities exceeding the traditional flows for a limited period of five years and subject to progressively reduced annual quantities.

Consequently, the following maximum quantities of sugar (CN code 1701) may be dispatched each year from the Azores to the rest of the Union for a period of five years: in 2011: 3 000 tonnes; in 2012: 2 500 tonnes; in 2013: 2 000 tonnes; in 2014: 1 500 tonnes; in 2015: 1 000 tonnes.

The Regulation authorises the Azores to benefit from the exemption from import duties for raw cane sugar within the limit of their forecast supply balance.

Milk-based preparations : Regulation (EC) No 247/2006 provides for a transitional period during which the Canary Islands may continue to receive supplies of determined quantities of milk-based preparations falling within CN codes 1901 90 99 and 2106 90 92 intended for industrial processing. This transitional period expires on 31 December 2009. The product falling within CN code 1901 90 99 – skimmed milk powder with vegetable fat – is a traditional product for the local consumers, including the most deprived, and has been sold in the Canary Islands during the last 40 years. The supply of this product has generated a specific local industry ensuring employment and added value. In the current situation of economic crisis, the Regulation maintains the supply of this specific product. This product shall be used for local consumption only.

In the light of the experience gained by the Commission, and to ensure that the Community support programmes are implemented effectively and appropriately, the Regulation removes references in that Regulation to checks and administrative penalties. However, such national measures will continue to be communicated to the Commission in accordance with the Regulation.

Wine: following the wine reform of 2008 and the recent integration of the wine CMO into the single CMO, Article 18 is updated to reflect the new provisions of Council Regulation (EC) No 1234/2007 as amended by Regulation (EC) No 491/2009.

Regulation (EC) No 247/2006 provides for the gradual elimination, by 31 December 2013, of vineyards planted with prohibited direct-producer hybrid vine varieties in the Azores and Madeira. Therefore the date of 31 December 2013 in Regulation (EC) No 247/2006 should be deleted in order to eliminate the disparity of treatment between the regions of the Azores and Madeira on one hand and the rest of the Union on the other.

The text stipulates that Portugal shall gradually eliminate vineyards planted with prohibited direct-producer hybrid vine varieties, with, where appropriate, the support provided for in Regulation (EC) No 1234/2007.

French overseas department of Reunion: despite the recent development of the local milk production in Reunion, the current need for drinking milk consumption on the island is not sufficiently covered. Moreover, the remoteness and insularity of this region do not allow other sources of raw milk. Consequently, this Regulation authorises the Reunion to produce reconstituted UHT milk from milk powder of Community origin, granted to Madeira by the first subparagraph of Article 19(4) of Regulation (EC) No 247/2006.

The method by which the UHT milk thus reconstituted has been obtained shall be clearly indicated on the sales labelling.

Retroactive application: a recital stipulates that the retroactive application of the provisions of this Regulation as from 1 January 2010 should ensure continuity in the specific measures for agriculture in the outermost regions of the Union and should also meet the legitimate expectations of the operators concerned.

ENTRY INTO FORCE: 24/07/2010.

APPLICATION: from 01/01/2010.