

Specific measures for agriculture in the smaller Aegean islands

2010/0370(COD) - 13/03/2013 - Final act

PURPOSE: to adopt measures in favour of agriculture in the smaller Aegean islands.

LEGISLATIVE ACT: Regulation (EU) No 229/2013 of the European Parliament and of the Council laying down specific measures for agriculture in favour of the smaller Aegean islands and repealing Council Regulation (EC) No 1405/2006.

CONTENT: The Regulation lays down specific measures for agriculture to **mitigate the difficulties caused by the insularity, small size and distance from markets of the smaller Aegean islands.**

This new Regulation forms part of the EU legislation to be aligned with the Treaty of Lisbon regarding **delegated and implementing acts** (Articles 290 and 291 of the TFEU).

At the same time, given that Council Regulation (EC) n° 1405/2006 had been amended several times since their adoption, this exercise constituted an opportunity to recast the regulation better to reflect the current state schemes.

Objectives: the specific measures shall help to meet the following objectives:

- guaranteed supply to the smaller islands of products essential for human consumption or for processing and as agricultural inputs by mitigating the additional costs incurred due to their insularity, small size and distance from markets;
- the preservation and development of agricultural activities in the smaller islands, including the production, processing, marketing and transport of local raw and processed products.

The support programme: this will comprise: (a) **specific supply arrangements**; (b) **specific measures to assist local agricultural production**. The programme shall be established at the geographical level which Greece deems to be the most appropriate and submitted by Greece to the Commission for approval.

Impact of advantage: benefiting from the specific supply arrangements resulting from the awarding of aid shall be subject to the condition that the impact of the economic advantage is passed on up to **the end-user** who, as appropriate, may be the consumer in the case of products meant for direct consumption, the end processor or packager in the case of products meant for the processing or packaging industries, or farmers in the case of products used for animal feed or as agricultural inputs.

The advantage shall be equal to the amount of the aid. The competent authority may require a security to be lodged equal to the amount of the advantage

Export to third countries and dispatch to the rest of the Union: the Commission shall adopt implementing acts establishing the requirements in accordance with which products covered by the specific supply arrangements may be exported to third countries or dispatched to the rest of the Union.

Processing operations which may give rise to traditional trade exports or traditional dispatches shall fulfil, *mutatis mutandis*, the processing conditions applicable under customs control provided for in the relevant Union legislation, with the exception of all usual forms of handling.

Controls and penalties: the agricultural products which are the subject of the specific supply arrangements shall be subject to administrative checks at the time that they enter the smaller islands as well as when they are exported or dispatched.

Except in cases of force majeure or exceptional climatic conditions, if an operator fails to comply with the commitments regarding certificates, the competent authority shall: (a) recover the advantage granted to the operator; (b) temporarily suspend or revoke the operator's registration, depending on the seriousness of the non-compliance.

Financial resources: the Union shall finance the measures on specific supply arrangements and measures to assist local agricultural products up to a maximum annual amount of **EUR 23.93 million**.

The amount allocated annually to finance the specific supply arrangements shall not exceed EUR 7.11 million.

Report: by 31 December 2016, and thereafter every five years, the Commission shall submit a general report showing the impact of the action taken under the Regulation, accompanied, if applicable, by appropriate proposals.

ENTRY INTO FORCE: 21/03/2013.

DELEGATED ACTS: the Commission is empowered to adopt delegated acts in order to ensure the proper functioning of the regime introduced by the Regulation. The power to adopt delegated acts is conferred on the Commission **for a period of five years from 21 March 2013** (which may be tacitly extended for the same period). The European Parliament or the Council may object to the delegated act within a period of **two months** of notification of that act (which be extended by two months.) If the European Parliament or Council objects, the delegated act shall not enter into force.