Agricultural products on the internal market and in third countries: information provision and promotion measures

2013/0398(COD) - 27/09/2019 - Follow-up document

The Commission presented its report on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries.

Delimitation of the delegation of powers

Regulation (EU) No 1144/2014 lays down the conditions under which information provision and promotion measures concerning agricultural products and certain food products based on agricultural products implemented in the internal market or in third countries may be fully or partially financed from the Union budget.

The Regulation empowers the Commission to adopt delegated acts:

- in order to supplement the list of products in Annex I by adding food products in order to take account of market developments;

- to set out the specific conditions under which each of the proposing organisations, groups and bodies may submit a programme;

- to lay down the specific conditions for eligibility with regard to simple programmes;

- to set out the conditions governing the competitive procedure for the selection of the implementing bodies;

- concerning the specific conditions under which costs of information provision and promotion measures, and, where necessary, administrative and staff costs, are eligible for Union funding.

The power to adopt delegated acts shall be conferred on the Commission for a period of five years from 24 November 2014. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power is tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Exercise of Delegation

The Commission has adopted one delegated act on the basis of Articles 7(2), 11(1), 13(1) and 15(8): Commission Delegated Regulation (EU) 2015/1829. This delegated act lays out the conditions for the proposal of simple and multi programmes by proposing organisations, including the requirement that said organisations are representative of the sector or product concerned. Significant scale of the simple programmes is required for the eligibility of a simple programme and further specified. It also specifies the criteria for the selection of bodies to implement simple programmes and defines the eligible costs. Neither the European Parliament nor the Council issued any objection to the Delegated Regulation. After

the expiry of the two-month period, the Commission Delegated Regulation (EU) 2015/1829 was published in the Official Journal of the European Union and entered into force on 20 October 2015.

The empowerments of Articles 5(2) and 29(2) have not been used, because the Commission did not identify any need for adding food products to the list of products of Annex I, neither to provide for transitional rules between the old and the new Regulation.

The Commission does not intend to use the empowerments in the near future, but it cannot be excluded that it will become necessary.

The Commission concluded that it has exercised its delegated powers correctly. However, it cannot be excluded that the empowerments will be needed in future.