Basic information

2009/0138(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Outermost regions: specific measures for agriculture Amending Regulation (EC) No 247/2006 2004/0247(CNS) **Subject** 3.10.03 Marketing and trade of agricultural products and livestock 3.10.05.02 Milk and dairy products 3.10.06.07 Sugar 3.10.06.08 Wine, alcoholic and non-alcoholic beverages 4.70.06 Outlying and outermost regions, overseas countries and territories **Geographical area** Portugal Réunion Spain	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	ALVES Luís Paulo (S&D)	30/09/2009

Committee for opinion	Rapporteur for opinion	Appointed
REGI Regional Development	TEIXEIRA Nuno (PPE)	04/11/2009

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3025	2010-06-29

European Commission

Commission DG	Commissioner
Agriculture and Rural Development	CIOLOŞ Dacian

Key events

Date	Event	Reference	Summary
02/10/2009	Legislative proposal published	COM(2009)0510	Summary

12/11/2009	Committee referral announced in Parliament, 1st reading		
02/12/2009	Additional information		Summary
17/03/2010	Vote in committee, 1st reading		Summary
23/03/2010	Committee report tabled for plenary, 1st reading	A7-0054/2010	
18/05/2010	Decision by Parliament, 1st reading	T7-0170/2010	Summary
18/05/2010	Results of vote in Parliament		
18/05/2010	Debate in Parliament		
29/06/2010	Act adopted by Council after Parliament's 1st reading		
07/07/2010	Final act signed		
07/07/2010	End of procedure in Parliament		
24/07/2010	Final act published in Official Journal		

Technical information

Procedure reference	2009/0138(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 247/2006 2004/0247(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 349-p1sub1-as1 Treaty on the Functioning of the European Union TFEU 042-p1 Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/7/01166

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE430.443	03/02/2010	
Committee opinion	REGI	PE430.981	24/02/2010	
Amendments tabled in committee		PE439.330	02/03/2010	
Committee report tabled for plenary, 1st reading/single reading		A7-0054/2010	23/03/2010	
Text adopted by Parliament, 1st reading/single reading		T7-0170/2010	18/05/2010	Summary

Council of the EU

Document type	Reference	Date	Summary

Draft final act	00023/2010/LEX	07/07/2010	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2009)0510	02/10/2009	Summary
Commission response to text adopted in plenary	SP(2010)3805	24/06/2010	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0460/2010	17/03/2010	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2010/0641
OJ L 194 24.07.2010, p. 0023 Summary

Outermost regions: specific measures for agriculture

2009/0138(COD) - 02/10/2009 - Legislative proposal

PURPOSE: to amend Regulation (EC) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union.

PROPOSED ACT: Council Regulation.

CONTENT the Council adopted Regulation (EC) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union. The development in Community legislation and the practical implementation of this Regulation which occurred in the meantime require the amendment of some of its provisions.

The main amendments proposed are as follows :

Sugar: following the reform of the common organisation of the market of sugar, incorporated in the single CMO by Council Regulation (EC) No 1234 /2007, it is proposed that Article 5 be updated so that it reflects these new provisions and allows the Azores to integrate raw cane sugar in its forecast supply balance. In previous marketing years, the sugar beet production in the Azores was not sufficient to allow its sugar industry to fulfil their allocated quota and no significant quantities of raw beet sugar were available on the market. This amendment will improve their situation by allowing them to import raw cane sugar (within the limit of the 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 it is proposed

to maintain the supply of this specific product and to extend the transitional period set by the Regulation to 31 December 2013. In the light of the experience gained by the Commission, and to ensure that the Community support programmes are implemented effectively and appropriately, it is necessary to remove 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 needs to be updated to reflect the new provisions of Council Regulation (EC) No 1234/2007 as amended by Regulation (EC) No 491/2009.

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, it is proposed that the authorisation 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, should be extended to the French overseas department of Reunion.

FINANCIAL IMPLICATIONS : these programs have a high level of execution. As the proposed modifications to Council Regulation (EC) No 247/2006 do not change the annual ceiling amounts for the financing of the specific supply arrangements and of the measures in favour of local production, there is no budgetary impact.

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 redispatching 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.

Outermost regions: specific measures for agriculture

2009/0138(COD) - 18/05/2010 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 592 votes to 53 with 12 abstentions a resolution setting out its position at first reading under the ordinary legislative procedure (formerly known as the codecision procedure) with a view to the adoption of Regulation (EU) No .../2010 of the European Parliament and of the Council amending Regulation (EC) No 247/2006 laying down specific measures for agriculture in the outermost regions of the Union. Following agreement with the Council, it made some amendments:

Extension of sugar derogation to Azores: the text states that Article 4(3) of 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 to, consequently, facilitate the 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 seems appropriate to allow the re-dispatching of sugar in quantities exceeding the traditional flows for a limited period of five years and subject to progressively reduced annual quantities.

Accordingly, 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: n 2011: 3000 tonnes; in 2012: 2500 tonnes; in 2013: 2000 tonnes; in 2014: 1500 tonnes, and in 2015: 1000 tonnes.

Removal of deadline for Portuguese vineyards: 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. The date of 31 December 2013 is now 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 and to allow the continuing conversion of vineyards planted with prohibited vine varieties.

Labelling: the text specified that the method by which the UHT milk thus reconstituted has been obtained shall be clearly indicated on the sales labelling.

Retroactive application: a new recital states 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.